Select Board Minutes
Tuesday, March 5, 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, Kara Minar, Don Ludwig
Town Department participants:
Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro, Executive Assistant Julie Doucet, Finance Director Jared Mullane
Additional participants:
Planning Board Chair Richard Cabelus, Terry Symula, Historic Commission Chair George Triantaris, Pete Jackson

MBTA multifamily zoning article
Planning Board Chair Richard Cabelus gave an overview of the process the board has taken to identify a potential site for the housing requirement under Section 3A of the Zoning Act. He reported the 8-acre parcel located across from Dunkin Donuts on Ayer Road as the optimal location for this type of development. Cabelus explained this zoning allows for as of right multi-family housing however a special permit issued by the Planning Board will be required. He explained including a mixed-use component is appropriate to support active public space that provides equal access to housing, jobs, gathering spaces, recreational opportunities, goods, and services with reasonable proximity to a transit station. SB liaison to the Planning Board Erin McBee commended the board's efforts especially for their inclusion of affordable units. The Planning Board expects this type of project could help the commercial district be more economically viable. Cabelus said the Planning Board understands this type of top-down legislation is difficult thus why the special permit process is required. This will allow input during the site plan review. Cabelus said the Planning Board has brainstormed various ideas to educate the public prior to the town meeting.

Update on the Bromfield House
Rich Maiore learned of a recent development related to the Bromfield House. He reported the town was notified by the Department of Public Health that lead paint has been detected in the building. He said remediation will be necessary and during that time occupants must vacate the building.

Discuss future of the Bromfield House with the Neighborhood Support Team
Resident Terry Symula, Harvard Neighborhood Support Team, gave an overview of their efforts over the past two years helping the Afghanistan families living in the Bromfield House. She was made aware of the lead paint after an infant living in the home tested high for lead. She reported the Department of Public Health visited the house. Symula said their efforts to find other housing was made more difficult due to the housing crisis Massachusetts is currently facing.

Rich Maiore turned the discussion to the long-term plan for the building and how to achieve permanent housing for the families currently living there. Erin McBee has been working together with the Municipal Affordable Housing Trust Chair Arielle Jennings and state agencies to investigate how the property could remain housing for these families once sold. The board members discussed remediation requirements due to the lead paint, the need for feedback from the School Department and the Library Trustees.

Historical Commission Chair George Triantaris spoke briefly to confirm any demolition of a property in the historic district requires approval.

Bromfield Trustee Pete Jackson expects any changes to the original agreement will again require approval from the court. While the town remains owners of the building the only allowable use is for educational purposes. The town would again need to ask for relief for noncompliant use.

The Select Board members decided to vote on extending the lease. Erin made a motion seconded by Kara Minar to extend the lease to July 1, 2024. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously in favor of extending the lease until June 30, 2025.

Public Communication
Resident Ben Myers read a letter submitted to the Select Board members encouraging an open search process for the Town Administrator position. (Attachment A)

Jason Cole, Warren Ave, submitted the citizens petition on the Bromfield House. He explained his reasoning for doing this was for the town to revisit the future of this property. He mentioned all the improvements that have been done at the Bromfield House to accommodate the families living there and the positive impact this effort has had on the community.

Minutes
By a roll call vote, Minar – aye, McBee – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve the minutes of 1/23, 2/6 &2/20, as amended.

Staff Report/Updates (Attachment B)

Discuss DPW project outreach
Assistant Town Administrator Marie Sobalvarro asked how the town administration office could assist with outreach to the public on this project. Maiore offered to write a one pager for discussion at the League of Women Voters Candidates Night. He mentioned sharing the design plans on Next Door Harvard and an open house for members of the public to enter the building. Kara Minar questioned if the project should be put on hold until we know more about the possible expansion of the landfill perimeter. Charles Oliver was satisfied with the explanation on this by Permanent Building Committee Chair Pablo Carbonell and cautions waiting will only increase costs.

Request for use of ARPA funds
Finance Director Jared Mullane began with the current balance of the ARPA funds and outlined projects these funds have been used for. Assistant Town Administrator Marie Sobalvarro reported the water project is moving forward however an unexpected cost has come up. CSX (railroad) has an easement license fee of $60,692. We are working to try and have it reduced. It is a one-time fee that would be a good use of ARPA funds.

Town Administrator Tim Bragan added three additional projects that would also warrant the use of ARPA funds; new Bare Hill pump with back up motor/electronics (VFB $39,800), pond weed vacuuming necessary for swimming area ($45,000) and Ayer Road project layouts for intersecting roads ($75,000).

Don Ludwig made a motion seconded by Kara Minar to approve use of ARPA funds for two pond items, CSX licensing fee and $75,000 for the Ayer Road project, total of $260,000 and empower Tim Bragan to negotiate down CSX invoice. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously in favor of the motion.

Update on FY24 financial picture
With four months left until year end, Rich Maiore asked Finance Director Jard Mullane to provide an update. Mullane reported local receipts are on track. He anticipates four reserve fund transfers to include Park & Recreation, holiday lights, snow & ice, and school department legal settlement. He expects the MSBA to finalize the necessary paperwork to close out the HES project. Rich Maiore inquired further about the school department settlement. Mullane said this is an unexpected cost that may have been lessened if the town insurance company had been involved earlier in the process. Kara Minar asked Mullane why the tax taking process was not further along. He said this will be a multi-year effort.

Town Meeting Warrant
By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to close the ATM warrant.

Discuss Town Administrator retirement and next steps
Rich Maiore contacted resident Paul Cohen for some insight. Cohen served as Town Administrator for Harvard and is now employed by the Town of Chelmsford. The standard options are to either hire an executive recruitment firm or create a search committee to facilitate the same process internally. All agreed community input is essential. Interviews will be conducted in executive session. Kara Minar spoke about the value hiring an independent search firm could add to the credibility of the process. Don Ludwig supposed having a professional company to facilitate the process would be fine however he does think it can be done internally as well. The board asked Tim Bragan to provide them will costs and names of possible firms. They will decide to either hire a recruiting firm or handle the process internally at their meeting in two weeks.

The meeting was adjourned at 9:30pm

Documents referenced:
Letter from School Dept – dated 2.27.2024
DPW schematic design info – dated 2.9.2024
TEC amendment 4 – dated 2.14.2024
CSX invoice – dated 2.28.2024
Applewood Controls quote – dated 2.1.20204
ATM warrant – draft 9
Town Administrator memo – dated 2.29.2024

Attachment A

March 5, 2024

Dear Select Board members,

The retirement of the town administrator presents an opportunity to reflect on the qualities and experience needed in Harvard's next leader. Much has changed in the last 17 years, and as we look to the future, we must take the time now to determine what qualities and skills are needed and how to best attract qualified candidates.

Including key stakeholders in this process is critical to selecting a candidate who meets as many criteria as possible to guide Harvard now and in the years to come. Past searches for school superintendents, police and fire chiefs, and other key department heads that followed an open process and involved members of the community have resulted in successful hires that have benefitted the town. By conducting an external and professional search, the town can be assured of a credible and competitive pool of applicants from which to choose.

We urge the Select Board to begin this process promptly and to establish a search committee comprised of key staff, volunteers and residents with experience in evaluating and hiring executive level managers. Harvard currently faces many challenges and will likely continue to do so. Finding the right person to lead us through necessary and desired changes while preserving Harvard's unique treasures is a demanding, yet exciting venture.

Simultaneously, we ask the Select Board to begin refining and standardizing their process of evaluating and managing the performance of the town administrator. Putting these measures in place will not only help the new administrator succeed, but will also ensure that there is accountability, transparency, collaboration, and efficiency in town government.

With respect and appreciation for your service to the town,

Suzanne Allen, Meg Bagdonas, Audrey Ball, Jane Biering, Abigail Besse, Bradford Besse, Sydney Blackwell, Sharon Briggs, Cary Browse, Jason Cole, Ahmet Corapcioglu, Sharon Cronin, Sharlene Cronin, Matthew Cronin, Faith Cross, David Durrant, Pamela Durrant, David Fay, Kristine Forsgard, Jenifer Fraser, Carolyn Grant, Ben Guthro, Kate Guthro, Ellen Harasimowicz, Kathryn Hewett, Wade Holtzman, Liz Joyce, Barbara Kemp, Jim Lee, Sandra Lefkovits, Bruce Leicher, Libby Levison, Zaipeng Liu, Rich Marcello, Fay Martin, Sharon McCarthy, Colleen McFadden, Rudy Minar, Shannon Molloy, Amy Morton, Benjamin Myers, Eileen Myers, Elizabeth Nees, Maria Oplinus, Deborah O'Rourke, Stephanie Opalka, Ron Ostberg, Colleen Pearce, SusanMary Redinger, Charles Redinger, Susan Reedich, Barbara Romero, Greg Romero, Roseanne Saalfield,

Ellen Sachs Leicher, Marc Sevigny, Russell Shappy Jr., Wendy Sisson, Stu Sklar, Marisa Steele, Terry Symula, Jane Thomsen, Susan Tokay, Carol Tonge, Thomas Tonge, Lucy Wallace, James Ware, Heidi Wharton, Willie Wickman, Darrell Wickman, Jared Wollaston, David Wilberforce Wrangham, Martha Wrangham

Attachment B

Staff Report, March 5, 2024

Building/Facility/Project Related:

- DPW Renovation: Both Capital Planning and Investment Committee and the Finance Committee, after touring the facility, endorsed and recommended this project move forward.
- Tighe and Bond has told us that they will know more about the impact of the possible expanded perimeter of the landfill by the end of March/mid-April.
- The Water Project is moving forward and we are waiting on a finalized IMA as the DEP approval and railroad easement are completed. The CSX (Railroad) portion threw us a curve ball regarding the cost of the easement and we are trying to work with them to reduce that cost.
- The clock and bell in the UU Tower will be reinstalled later this month, thanks to the herculean efforts of David Kendall and the craftsmanship of the Verdin Company.
- Solect Energy is awaiting the interconnection service agreement (ISA) from National Grid. The ISA will delineate any associated costs, and National Grid's estimated timeline for the COA Solar interconnection. Following that, we'll have a contract from Solect for the purchase and installation of the system.
- Harvard Cable TV has contracted for the COA meeting room cameras and switchers, which will enable more 'live broadcasts' of the COA events once installed.

FY24 Operations:

- We all heard that the Governor's economic plan includes doing away with the building and housing restraints related to Devens. This could have a significant negative impact on Harvard if funds from the State are not forthcoming for school buildings and education. It may also impact a final resolution and makes it more likely to have the State ultimately decide Devens' fate within 10 years.
- Marie has updated the Cell Tower documents and is readying them for distribution to the State and cell tower providers. This will go out March 19.
- The Charter/Spectrum Cable contract renewal is proceeding slowly due to non-responsiveness from Charter. It will be done before the 2025/2026 deadline.
- We have received a complaint regarding a nuisance dog in the Myrick Lane and Babbit Lane area and if we cannot get the issue resolved then the Board will have a hearing.
- Chief Babu was accepted to the FBI's New England Regional Command College; this prestigious training program is designed to advance the FBI's law enforcement and security mission vis training and building partnerships with local agencies across the country.

Police Update: (February)

- Activity: Between January 22,2024(last report) and February 20,2024, the department addressed and initiated a total of 919 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.
- Grants: All laptops, funded through the Byrne Grant have been installed and are operational. Additionally the AFIS machine interface work has been completed by the

state and CM Geeks which was very important in making us complaint with the new law regarding cross-matching and biometrics. This progress signifies a significant enhancement in the Police Department's technological capabilities, further enabling our police force to serve the community effectively and efficiently. The Chief is thrilled to announce the delivery of our new radar trailer, secured through a state grant under the MassDOT FoRRRwD program (Focus on Reducing Rural Roadway Departures), delivered in the week of February 14th. This cutting edge piece of equipment will play a crucial role in enhancing traffic safety, marking a significant advancement in the Chief's ongoing efforts to ensure the well-being of our community.

- Community Policing: The Police Department's next "Coffee with a Cop" event will be held at the COA building on April 1st between 9:30- 11:30AM. This event offers a unique opportunity for community members to engage in open dialogue with local law enforcement officers in a relaxed and welcoming setting. It's a chance to build stronger community ties, discuss concerns, ask questions, and learn more about the daily work of our police officers. Additionally, it provides an informal environment where residents can get to know the officers who serve their community, fostering a sense of trust and mutual respect. This event is not just about sharing a cup of coffee; it's about creating a bridge between the police department and the community they serve, ensuring a safer, more connected environment for everyone. Everyone is encouraged to join the Chief and his officers for what promises to be a valuable and enjoyable morning.
- Training Update: Our police department is deeply committed to ongoing professional development, ensuring that all our officers remain at the forefront of law enforcement practices through continuous training and up-to-date certifications. They actively participated in annual in-service training sessions held at various police academies to stay aligned with the most recent standards and techniques. This dedication to advanced training is made possible in part by a generous donation dedicated to our officers' educational needs. Additionally, Franny, our beloved Comfort Dog, has successfully completed the first stage of her training under Officer Schaeffer's guidance. As she progresses to the next level, we plan to expand her skills to include search and rescue capabilities, aiming to assist in locating missing individuals once her "Comfort Dog" training is fully realized.

FY25 Budget:

- The Finance Committee acted on the Select Board's recommended budget at their last meeting and approved the changes made by the Board. They also finalized their recommendations on the warrant articles.
- There have been no changes from the State regarding revenue or expenses and probably won't be until after the Town Meeting when the House comes out with their budget.

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

- Massachusetts Taxpayers Foundation's (MTF) analysis of the 2024 tax revenue and 9C cuts, https://www.masstaxpayers.org/sites/default/files/publications/2024-01/FY%202024%20Revenue%20Shortfall%20%26%209C%20Cuts%20FINAL.pdf, says

the revenue growth in FY24 is only ahead of the FY23 year-to-date collections by 0.3%. The MTF goes on to say that the State's spending trends needs to return to earth as flat revenue assumptions will leave little room for additional spending initiatives.

- The MTF also provided their review of the Governor's FY25 Budget, https://www.masstaxpayers.org/sites/default/files/publications/2024-01/01-24%20FY25%20Governor%27s%20Budget%20Brief%20FINAL.pdf , with some praise as well as some cautionary notes.
- February's mid-month saw tax collections trending down for the 8th straight month. The full month assessment will come out in early March.
- Wrentham is seeking relief from Housing Density Law in the shadow of the town of Milton revoking passage of required bylaw changes. Since Milton's rebuke of the necessary bylaw changes the state has taken funds away and the AG is suing them.
- The State Legislature and the Governor are weighing more funds for the shelters as the $250 million infusion in December may not last through June.
- The Governor had put forward her Municipal Reform package (https://www.mass.gov/news/governor-healey-and-lg-driscoll-announce-municipal-relief-package-to-help-local-government-deliver-critical-services-and-improve-operations.) and it received a slow embrace by state lawmakers.

Notices, Reminders, Dates of Note:

- Just a reminder that reappointments/appointments will be coming up in June and Julie distributed the list to you prior to the last meeting. Julie has been contacting incumbents and requesting their statements of intent regarding reappointment by March 15. Annual appointment announcement has been advertised on the town website. Any new volunteer forms will be due no later than May 1st to accommodate the annual appointment process in June.
- Carl Sciple did not accept his appointment to the Permanent Building Committee. He is overextended and prefers to focus his efforts as our DEC representative.
- The Ginny Thuston Scholarship trust fund has a low distribution balance. The best approach would be to forgo awarding the scholarship this year to allow the trust fund to gain more interest. However, the Sarah Watson scholarship is available for current college students. Information on how to apply can be found on the Select Board page of the town website. Applications are due August 1st.
- Attached is a list of the major events scheduled for the Harvard UU Church buildings for March and April.
- Camp Green Eyrie will be celebrating their 100th birthday next year (2025) and they are in the process of planning for that birthday and will undoubtedly be making requests of the Town between now and then.
- 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