



Select Board Minutes
Tuesday, February 7, 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 was absent.

Town Department attendees:

Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro Executive Assistant Julie Doucet

Additional participants:

Eric Loth and Lou Minicucci from Minco Development, Lou Russo, Mike Kennedy, Jim Mazik

Proposed Harvard Village development - Ayer Road

Eric Loth and Lou Minicucci from Minco Development came to present their vision for the property located at 185, 187 & 203 Ayer Road (corner near Rt 2 across from Dunkin Donuts). Loth explained a smart growth overly district would be necessary for this type of development. They are proposing housing under 40B & 40R. The project will also include retail space. They plan to offer condo type rentals studio size up to 3 bedrooms. Resident/Developer Lou Russo is the owner of the property. He and his associate Greg Winter have been in discussions with Minco Development. Loth spoke about the development they are currently working on in Newburyport as well as recent projects in Andover that would be similar to what is being proposed in Harvard. Minco owner Lou Minicucci gave a background on his company that was established in the 1980's. He explained development under Chapter 40R has become an attractive option for municipalities to provide an array of housing that caters to everyone from young professionals to empty nesters.

The Select Board members had some questions and agreed to vote on the proposal to move forward to the next steps in the process. Member Kara Minar said with a project of this size would it make sense to gain perspective from the other town departments especially the school sooner in the process however most agreed this will happen during the Planning Board hearing process.

Presentation of the ADA self-evaluation & transition plan

Mike Kennedy and Jim Mazik for the Centers of Living and Working reviewed the plan in great detail. Everyone agreed the report includes a multitude of areas the town can and should address. The plan will be used to prioritize how best to move forward. Commission on Disabilities members Davida Bagatelle and Toni Spacciapoli will assist in helping the town decide how best to proceed.

Special Town Meeting warrant; vote on articles/assignments

By a roll call vote, McBee – aye, Minar – aye, Oliver – aye, Maiore – aye, the board unanimously to support article 1. Rich Maiore will speak to this article at the STM.

By a roll call Oliver – aye, McBee – aye, Minar – aye, Maiore – aye, the board voted unanimously to support article 2. Charles Oliver will speak to this article at the STM.

By a roll call vote, McBee – aye, Minar – aye, Oliver – aye, Maiore – aye, the board voted unanimously to support article 3. Town Administrator Tim Bragan and DPW Director Tim Kilhart will speak to this article.

By a roll call vote, McBee – aye, Minar – aye, Oliver – aye, Maiore - aye, the board voted unanimously to support article 4. Erin McBee will speak to this article at the STM.

Chair Rich Maiore exited the meeting at 8:50pm. Vice Chair Erin McBee chaired the rest of the meeting.

Act on Worcester Retirement COLA

The board decided to defer on this item.

Act on Regional 911 Emergency Communication District Agreement

By a roll call vote, McBee – aye, Minar – aye, Oliver – aye, the board voted unanimously to approve the amended agreement.

Act on Fruitland Museum Board of Directors change required by the ABCC

By a roll call vote, Minar – aye, McBee – aye, Oliver – aye, the board voted unanimously to approve the Fruitland’s Museum change of Board of Directors as required by the ABCC.

Public Communication

Paul Green requested a summary/FAQ document for the CPC and water connection articles being presented at the Special Town Meeting. He was surprised there were no public hearings held. He asked if they could be reconsidered if not passed at this meeting.

Abbe Besse, School Committee Chair, offered comments related to the proposed development on Ayer Road. She spoke about their need to understand the potential impact to the school system.

Minutes 1/5 & 1/17

By a roll call vote, Minar – aye, McBee – aye, Oliver – aye, the board voted unanimously to approve the minutes from 1/5 & 1/17, as presented.

Staff Report/Updates (Attachment A)

Select Board Reports

Kara Minar announced the Historic Commission is in need of a member who is an architect. She reported Harvard Devens Jurisdiction Committee are reviewing MassDevelopment budgets. She said the Climate Initiative Committee is working on plans for Earth Day.

The meeting was adjourned at 9:30pm

Documents referenced:

Harvard Village development designs – dated 2.1.2023

Minco Smart Growth Overlay District draft - dated 2.1.2023

ADA self-evaluation & transition plan – dated Dec 2022

STM warrant – dated 2.13.2023

Worcester Retirement COLA letter – dated 1.6.2023

Regional 911 Emergency Communication District Agreement – dated 12.2.2022

Fruitland’s Museum request – dated 1.13.2023

**Staff Report
February 7, 2023**

1. Boards and Committees:

- a. Marisa Khurana resigned as a Trustee from the Warner Free Lecture Series and this announcement starts the clock for the two boards coming together to make an appointment at a future meeting.
- b. The Board of Health is inquiring if the Select Board would be re-submitting the non-criminal disposition by-law for the Annual Town Meeting as they would have to amend a number of their fines and regulations in order to eliminate the inconsistencies?
- c. The attached list of Boards and Committees are delinquent in providing board and committee minutes to the Town Clerk and having them posted on the Town website. As you are aware this is a violation of state law and as such we will be sending these boards and committees notices that they have to bring their filings and postings up to date. Unfortunately, some of these go back to January of 2021 and all on the list have been confirmed, by the Town clerk's office and a review of the Town web-site, to not be in compliance with the law.

2. State Updates: (State House News Service)

- a. The State budget writers agreed on a 1.6% increase in revenue not including the 4% surtax on people earning over a million dollars. This is the first step in the budget process and the next one is the Governor submitting her budget to the House. The agreement on revenue was bolstered by elevated tax revenues holding at their current levels.
- b. Debate has begun on the new surtax segregation and its impacts on the budgets of transportation, education and post-secondary education as well. The thought is instead of this mass migration out of Massachusetts there will be an increase of utilizing tax avoidance strategies. It is expected that the new tax will bring in just over a billion dollars the first year
- c. Legislators are still feeling the loss of the \$3billion in rebates from this last budget cycle and some wish to change the Chapter 62F and others know that would not be wise. However, the loss of that revenue has made the legislature re-think their earlier tax relief ideas. We can wait and see where all of this goes during the current budget process.

- d. Casino-style gaming has produced record revenue for the State and this past month the State started its in-person betting on sports which should help increase overall revenue to the state.
 - e. The December jobs report for the state came in better than expected.
 - f. The State Treasurer is looking at a possible bond upgrade for the State given their ability to put funds into the rainy-day account. We could go from AA to AA+.
 - g. The House and Senate worked on their rules for this legislative session and it looks like the House will be going back to in-person sessions with a hybrid meeting format for hearings. The Senate on the other hand is inclined to continue their virtual attendance and hearings.
3. Snow and Ice budget reached its maximum allotted budget and I approved deficit spending per state law.
4. Personnel
- a. A new Administrative Assistant for the Land Use and Building Departments has been hired, and will be starting on 2/27/23. Additionally, the minute-taker role (Planning and ZBA) has been filled, and likewise expected to commence at the end of this month.
 - b. Representatives of Park & Rec participated in interviews of the three candidates advancing from the preliminary screening round; we are currently working to negotiate wages, benefits, and starting date.
5. Notice, Reminders, and Updates:
- a. Old Mill Road 40B has been approved by MassHousing (see attached).
 - b. The Board needs to determine Citizen of Note.
 - c. Please RSVP to lkelly@harvard-ma.gov for the State Ethics Commission training on 3/14/23, 7:00 p.m. at Volunteers Hall
 - d. The Finance Committee will be meeting with the Schools on Tuesday, 2/14 at 10:00 a.m. on Zoom.
 - e. The COA @ Lancaster County is expected to be completed by late March (PCO attached).
 - f. The cell tower lease documents will be in the 2/15 Central Register; responses due by 3/21/23.