

**Harvard-Devens Jurisdiction Committee**  
**Meeting Held using the Zoom Videoconferencing Facility**  
**Minutes of the March 3, 2022 Meeting**  
**Paul Green, Clerk**

## **Attendance**

**Members Present:** Richard Cabelus, George Glazier, Paul Green, Heather Knowles, Rich Maiore, Tim Myllykangas, Victor Normand, SusanMary Redinger.

**Members Absent:** Kara Minar.

**Guests:** Jane Biering (Harvard resident), Jim DeZutter, (Harvard resident, member of the DEC), Chris Ryan (Harvard Director of Economic Development), Ed Starzec (MassDevelopment Real Estate), Lucy Wallace (Harvard resident), John Osborn (Harvard Press).

Victor Normand called the meeting to order at 10:01 am.

## **Approval of Minutes**

The committee reviewed the January 6, 2022 minutes. Paul said he would correct the minutes to say that Richard Cabelus did not attend the meeting due to illness.

SusanMary moved to approve the minutes and Heather seconded the motion and the committee unanimously approved them.

## **DJFC Update**

At the February meeting, Ayer is actively recruiting for their committee. Victor reported on our meeting with Sen. Eldridge and Rep. Sena, and was working on our charge from our Select Board. No update from Shirley or the other stakeholders. The DEC reported on our meeting with them about Vicksburg Square rezoning. The RFI/RFEI committee brought forth a draft for expressions of interest. Victor commented on the draft. He wants to see the consultant address which tasks in the Devens reuse plan still remain to be completed and what will be the cost to complete the reuse plan. Victor commented that Vicksburg Square should not be an agenda item until MassDevelopment has a response. Meeting frequency was discussed, and will be continued at the next meeting. Victor submitted agenda item to reconsider the DJFC quorum requirement, and submitted a memo for his reasoning why it should be reconsidered. Lucy explained that the DJFC has 6 member entities; right now representatives of each of the 6 entities need to be present.

## **Discuss Harvard Vision Statement Summary**

Victor incorporated comments from the previous meeting and from comments he received after the meeting. The next step is to convert the outline into a narrative. The purpose is to present to Harvard (including Devens) residents a concise statement of what Harvard will look like after resuming jurisdiction. It will also help explain our positions to a consultant. Victor explained that the memo attempts to balance the desire to avoid getting into a level of detail not justified by our current knowledge, while still providing enough information for residents to understand the major points of

consensus on our committee. We hope other stakeholders will prepare similar summaries.

Victor suggests that our next step is to turn the outline into a narrative. Jane, Lucy and Heather volunteered to write and edit. Paul offered to supply material on Devens Utilities.

## **Devens Budgets**

Committee members began discussing the Devens financial summary, as contained in the most recent annual report from MassDevelopment. We quickly learned that several line items are insufficiently explained. We will need to develop a list of questions to clarify the meaning of various line items in the summary. Victor asked which committee members are comfortable reviewing budgets. Tim volunteered, but noted that he is not experienced in municipal utilities. Richard also volunteered, with a similar note. Victor suggested we look at it from the point of view of a lay person. Tim recommended asking for the backup detail behind each summary line item. George noted that Devens residents are interested in understanding the mechanism for determining the tax rate, and for how the rate might change when Harvard taxes the properties instead of MassDevelopment. He noted that residents are also concerned about any change to utility rates after disposition. Lucy noted that current Harvard residents also have the same concerns about their taxes and rates. Several members noted that tax rates are dependent on a number of factors unique to each jurisdiction; it is not safe to simply compare tax rates in one town to the rate in another town. Paul noted that one of the reasons he has fought for getting the disposition process started is that it is difficult to understand the finances of the merged towns in sufficient detail to make accurate projections, but without accurate projections, residents will be unable to make informed decisions. He believes that we will lobby for transition periods, as opposed to a cliff transition taking place on a given day. Victor stated that the tax issue probably will be a go/no-go matter for voters in both Devens and Harvard. Both groups need to be comfortable with the future impact on their taxes. Victor asked members to send him a list of their questions about the budget. He will request additional documentation from MassDevelopment, in Excel if possible.

## **Other Business**

Victor suggested that members list the benefits and challenges of resuming jurisdiction. Part of our charge is to hold public meetings both in Harvard and on Devens to present our work and take questions. Lucy suggested that one approach would be to contrast strengths and weaknesses of each community, and then also threats and opportunities. SusanMary recommended that we go back and look at the most recent Harvard Master Plan, which looked into these issues.

## **Public Comment**

Jim DeZutter commented that any discussion of tax rates should cover both the residential tax rate and a commercial/industrial tax rate. Victor noted that Harvard has a single tax rate and Devens has a split tax rate. Lucy [a former member of the Harvard

Select Board, which determines whether a split tax rate will be used] explained that the reason that Harvard has a single tax rate is that it has so little commercial property that a split rate would make little overall difference in the residential tax rate. Further, that the orchards in Harvard would fall under the commercial/industrial tax rate and the orchardists are concerned that a split rate would impact their businesses. Paul noted that a split rate would apply to all affected properties; a town cannot have one rate for one part of town and a different rate for another part of town. Victor said that the complexity of this issue is further justification for engaging an experienced consulting firm.

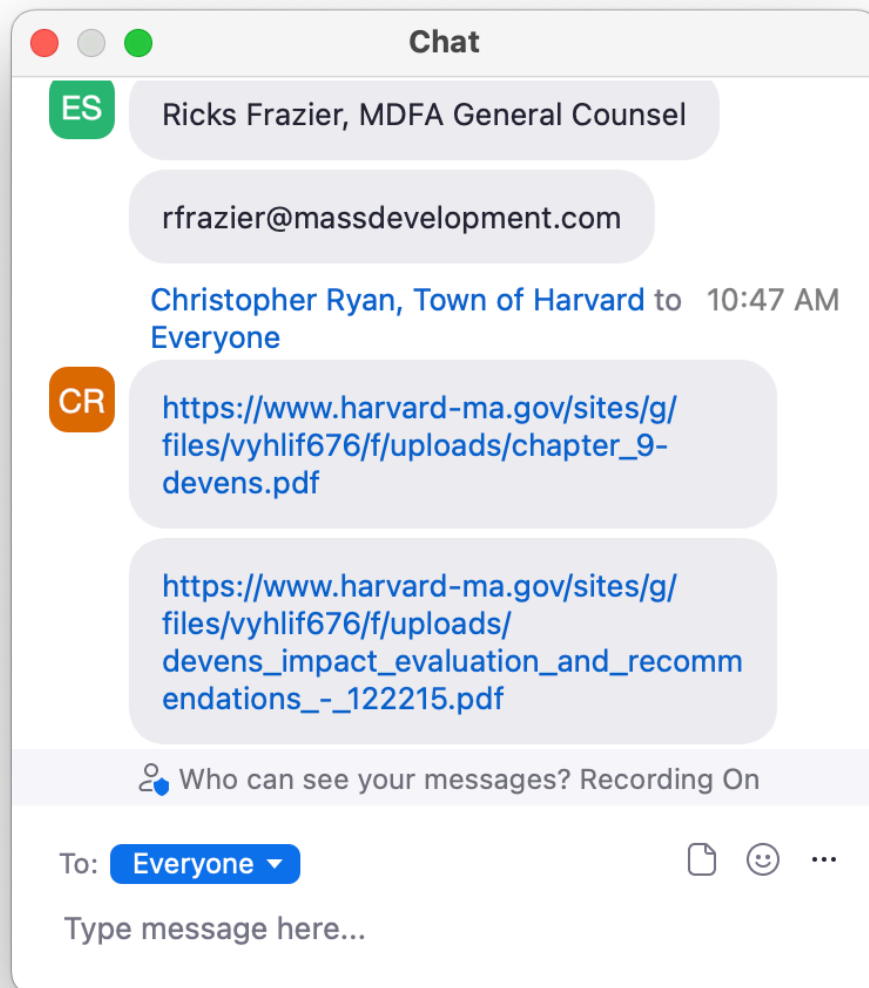
Victor adjourned the meeting at 10:53 am.

## **Next Meeting**

Our next meeting is scheduled for April 7, 2022, at 10 AM, on Zoom.

## **Attachments**

1. Zoom Chat Box
  - I. Name and Title of MassDevelopment General Council; recipient of FOIA requests;
  - II. Links to Devens-related portions of current Harvard Master Plan
2. Draft Harvard Vision Statement
3. Devens Overall Financials
4. Devens Utilities Financials
5. Town of Harvard Master Plan Home Page (See <https://harvard-ma.gov/master-plan>)



# Harvard/Devens Jurisdiction Committee

## Plan Summary Revised 03/03/2022

HDJC Charge – To develop a plan for Harvard to resume political jurisdiction over its historic lands within the Devens Regional Enterprise Zone (DREZ).

### Residential Community

All existing housing (282 units) to be in the Town of Harvard

### Boundary Changes

All of Bates Street and Auman Street will be in the Town of Harvard  
Attempt to achieve a balance in land area between Ayer and Harvard when moving town boundaries to accommodate Bates and Auman Streets change

### Municipal Services - Options

Expansion of existing departments in Harvard  
Contracting for services with third parties  
Regionalization

Utilities - Creation of a Devens super municipal utility run by an independent commission for the benefit of ratepayers

Electric  
Gas  
Water  
Wastewater  
Storm water

Unified Permitting - No change except gradual change to local representation on the DEC

Zoning/Reuse Plan - No planned changes

### Public Lands

State may retain ownership of Mirror Lake  
Review the management of open space and land conservation interests

### Connectivity, Traffic and Transportation

Old Mill Road: Consider gated opening only for pedestrians, bikes, emergency vehicles  
Depot Road: Consider opening with truck exclusion by design

Environmental – Maintain existing agreements with US Army, EPA and Mass DEP

### Taxation and Municipal Finance

Merge Harvard and Devens property assessing practices  
Review projected life of major capital investments (utilities and roads)  
Identify potential capital obligations  
Develop estimated budget  
Develop estimated tax rates – both residential and commercial

## Devens - For the Years Ended June 30, 2020 and June 30, 2021

| Revenue and Expenses                       | 2020                 | 2021                 |
|--------------------------------------------|----------------------|----------------------|
| <b>Operating revenues:</b>                 |                      |                      |
| Lease income                               | \$974,798            | \$949,725            |
| Payment in Lieu of Taxes                   | -                    | 750,000              |
| Property taxes                             | 8,731,212            | 9,584,800            |
| Other municipal income                     | 1,040,303            | 842,058              |
| Public education                           | 266,794              | 197,328              |
| Fire income                                | 206,853              | 213,521              |
| Police income                              | 1,020                | 24,013               |
| Recreation income                          | 139,630              | 245,911              |
| <b>Total operating revenues</b>            | <b>11,360,609</b>    | <b>12,807,356</b>    |
| <b>Operating expenses:</b>                 |                      |                      |
| Professional and administrative operations | 5,165,621            | 5,587,753            |
| Fire operations                            | 2,682,853            | 2,647,874            |
| Public works operations                    | 1,609,865            | 1,565,296            |
| Recreation operations                      | 54,366               | 56,644               |
| Municipal education expense                | 2,046,869            | 2,185,342            |
| Police operations                          | 1,316,592            | 1,344,235            |
| Bad debt expense and tax overlay reserve   | 124,599              | 64,195               |
| Depreciation expense                       | 2,960,258            | 2,765,434            |
| <b>Total operating expenses</b>            | <b>15,961,023</b>    | <b>16,216,773</b>    |
| <b>Excess operating expenses</b>           | <b>\$(4,600,414)</b> | <b>\$(3,409,417)</b> |
| <b>Land and building sales, net</b>        | <b>21,955</b>        | <b>153,511</b>       |
| <b>Non-operating revenues/(expenses)</b>   | <b>910,477</b>       | <b>685,238</b>       |
| <b>Net revenues/(expenses)</b>             | <b>\$(3,667,982)</b> | <b>\$(2,570,667)</b> |
| <b>Capital activity:</b>                   |                      |                      |
| Office equipment, computers, software      | \$27,295             | \$27,945             |
| Environmental activities                   | 17,033               | 47,593               |
| Devens municipal services                  | 735,653              | 497,353              |
| Devens real estate and engineering         | 1,136,543            | 498,996              |
| <b>Total capital activity</b>              | <b>\$1,916,524</b>   | <b>\$1,071,888</b>   |



# Financials

Devens Utilities - For the Years Ended June 30, 2020 and June 30, 2021

| Revenue and Expenses                                            | 2020               | 2021               |
|-----------------------------------------------------------------|--------------------|--------------------|
| <b>Operating revenues:</b>                                      |                    |                    |
| Gas                                                             | \$6,806,388        | \$6,822,993        |
| Electric                                                        | 18,695,845         | 19,518,413         |
| Water                                                           | 1,303,655          | 1,128,102          |
| Wastewater                                                      | 3,121,605          | 3,226,145          |
| <b>Total operating revenues</b>                                 | <b>29,927,493</b>  | <b>30,695,651</b>  |
| <b>Operating expenses:</b>                                      |                    |                    |
| Professional and administrative operations                      | 846,339            | 881,965            |
| Gas purchases                                                   | 4,927,590          | 4,641,589          |
| Electric purchases                                              | 13,889,510         | 14,848,409         |
| Water operations                                                | 1,240,084          | 792,738            |
| Wastewater operations                                           | 1,972,576          | 2,006,965          |
| PILOT Fee-Electric                                              | -                  | 750,000            |
| Bad debt expense                                                | 16,362             | (16,913)           |
| Depreciation expense                                            | 3,731,932          | 3,970,469          |
| Amortization of bonds                                           | 1,083              | 957                |
| <b>Total operating expenses</b>                                 | <b>26,625,475</b>  | <b>27,876,178</b>  |
| <b>Excess revenues/(expenses) before non-operating activity</b> | <b>\$3,302,018</b> | <b>\$2,819,473</b> |
| <b>Non-operating revenues/(expenses)</b>                        | <b>(2,460,347)</b> | <b>(2,467,971)</b> |
| <b>Excess revenues/(expenses)</b>                               | <b>\$841,671</b>   | <b>\$351,502</b>   |
| <b>Capital activity:</b>                                        |                    |                    |
| Utility infrastructure                                          | \$1,985,559        | \$1,856,057        |
| <b>Total capital activity</b>                                   | <b>\$1,985,559</b> | <b>\$1,856,057</b> |