



**Select Board
Minutes**

**Tuesday, February 4, 2020 at 7:00pm
Town Hall Meeting Room, Harvard, MA**

The meeting was called to order at 7:00pm by Chair Alice von Loesecke in the Town Hall Meeting Room. Select Board members Rich Maiore, Stu Sklar, Lucy Wallace and Kara Minar were in attendance as well as Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

Commission on Disabilities

Carolyn Leuscher came seeking appointment to the newly formed Commission on Disability. Leuscher has recently experienced health issues that have given her a new appreciation for the challenges of those who are disabled. She is compelled to help and feels this is a great opportunity to do so. The board members thanked Leuscher for stepping forward. On a Minar/Wallace motion, the board voted unanimously to appoint Carolyn Leuscher to the Commission on Disabilities.

Carlson Orchards - Farmer Series Pouring Permit

Von Loesecke explained the public input portion of the hearing was closed at the January 21st meeting. She announced four additional letters have been received and will be considered during their deliberations.

Wallace noted once the board has completed their review and approved the application all required documentation along with the license conditions will be sent to the ABCC. After the ABCC vetting process is complete they will return with their approval or disapproval. If approved, the board will then vote to issue the license. An entertainment license for events on this property will be addressed when an official request comes before the board.

The board began by reviewing the draft conditions they established at the hearing held last summer. Minar and Maiore were reluctant about the 8pm closure on Fridays and Saturdays. They asked to have the conditions reflect neighbor concerns with respect to noise after dark. Wallace offered a compromise in an effort for consistency with other licensed establishments in town.

The board members were agreeable to the conditions making the following revisions:

- Include Monday holidays with the Thursday and Sunday hours of 11am – 6pm which allow pouring.
- Require closing of the taproom 1 hour after the last alcoholic beverage may be poured and cease further amplified sound.
- Allow pouring to continue on Friday and Saturdays in the taproom and porch until 8pm.

Maiore asked to have Town Counsel review the draft conditions prior to submission to the ABCC.

They talked about private versus public events. Town Administrator confirmed events held at the orchard under this Farmer Series Pouring Permit will require an entertainment license. In addition, they discussed capacity of the taproom, porch and patio.

They decided to approve the conditions in concept and send to Town Counsel for input and review.

On a Wallace/Maiore motion, the board voted to continue the hearing until the next meeting after response from counsel on the conditions.

Community Preservation Commission

Committee Chair Didi Chadran with fellow commission members Beth Williams and John Lee came to review their funding recommendations. The CPC received a total of six grant applications this year. These applications, when added to the CPC’s obligatory funding of Town Hall renovation debt and annual funding for affordable housing at a minimum 10% of our available funds, would total more than \$950,000. This is nearly two and a half times the amount available for FY2021 grants. The warrant articles proposed for the ATM in May seeks funding for four of these applications either fully or in part. Below is a summary of the grant applications as submitted to the CPC and the funding recommendations.

| Requesting Organization | Application/ Funding Title | Requested Amount | CPC Vote |
|---|--|-------------------------------|--|
| Town Clerk | Historical Records Preservation | \$25,000 | Decline. |
| Town Hall | Civil War Tablet Restoration | \$11,200 | Decline. |
| Historical Commission | Bromfield Stone Wall Restoration | \$89,200 | Fund in full. |
| Conservation Commission | Conservation Committee Fund | \$200,000 | Fund in part. |
| Conservation Commission & Community Harvest Project | Prospect Hill Community Orchard | \$500,000 (over two years) | Remit partial amount to Conservation Commission. |
| Fire Department | Preservation of Historical Fire Records | \$24,700 | Fund in part. |
| Harvard Public School District | Tennis Court Resurfacing & Engineering Study | \$110,000 | Fund in part, to support resurfacing only; no funding for engineering study. |

| Fund Recipient | Application/ Funding Title | Recommended Amount | CPC Recommendation |
|------------------------------------|-----------------------------------|--------------------|--|
| Select Board | Town Hall Debt Service | \$50,000 | Transfer from CPC unrestricted reserves to the Select Board. |
| Historical Commission | Bromfield Stone Wall | \$89,200 | Transfer from CPC unrestricted reserves to the Historical Commission. |
| Fire Department | Historical Fire Records | \$6,000 | Transfer from CPC unrestricted reserves to the Fire Department. |
| Municipal Affordable Housing Trust | Affordable Housing Trust Fund | \$30,000 | Transfer from CPC unrestricted reserves to the MAHT. |
| Harvard School District | Tennis Court Repair & Resurfacing | \$40,000 | Transfer from CPC unrestricted reserves to the Harvard School District for tennis court repair and resurfacing, with request that annual maintenance be performed to prolong asset life. |
| Conservation Commission | Conservation Fund | \$150,000 | Transfer from CPC unrestricted reserves to the Conservation Commission. |
| Community Preservation Committee | CPC Administrative Fees | \$2500 | Transfer from CPC unrestricted reserves to CPC Admin fund. |

Minutes

On a Wallace/Minar motion, the board voted unanimously to approve minutes 1/7, as presented.

Town Administrator Report

Police, DPW, Fire, Conservation Agent, Nashoba Boards of Health Agents all responded to the water crisis over the weekend. This issue was under control and fixed by 1pm on Sunday thanks to Tim Kilhart and his crew at the DPW. Notices were handed out to every household and business in the district. Each house also received 3 cases of bottled water. These were distributed by the fire department and the Conservation Agent. Dr. Dwight was notified and involved and had to close the schools on Monday. The tank is filling up, testing of the water is being done and the School is open. The boil water order is still in effect until we get two clean test results back from the lab. I would like to thank all involved with this incident and especially Tim Kilhart and his crew.

Wednesday, Feb. 12th is the last day to register to vote for the upcoming Presidential Primary and State Primary for Representative Benson's seat. Also The Town Clerk has asked that the board appoint her daughter Brianna Kenney as an Election Official until August 31, 2020. This request is being made now as the Town Clerk just found out 5 of her election officials will not be here for the primary. On a Maiore/Wallace motion, voted unanimously to appoint Brianna Kenney as an unenrolled election official until August.

The Environmental Notification Form for the Carlson Orchard public water supply was filed with MEPA Office. He has also sent the attached Special Act to the legislature so that they can act on the easement approved by the Town.

Lucas Thayer has had a meeting in the Planning Board office and a meeting with the Police Chief since the Community Outreach meeting that was held on Thursday, December 19, 2019 at Town Hall at 7PM. Nothing else has happened and once we hear or receive anything we will notify the Select Board.

The boundary issue with Ayer continues to be pushed by the developer in Ayer. Bragan is working with Town Counsel on this.

He received an email from Jessica Strunkin, SVP Devens, inquiring about June 15, 2020 for a STM to deal with zoning for Vicksburg Square. He responded that the 15th was not doable from his perspective. The board agreed that June 15th was not doable.

The Finance Committee was inquiring about the disposition of the Bromfield House and they were informed that the School Committee voted to turn the building over to the Select Board once they no longer have an educational use for it and that will be May of 2021. The Select Board will have to come up with a plan in order to get Town Meeting approval in the fall of this year so that we can be ready and prepare to act once the building is vacated. .

MassDOT Chapter 90 apportionment for FY 2020 is \$385,844. This is ~\$35,000 more than originally anticipated.

Submission of a small warrant article for Minute Assistant Services to try and improve board and committee submission of minutes to the Town Clerk and Town Website. This we believe will provide for more timely and consistent submission of minutes. The amount requested was \$6,000. The current Committees that could use this service on a test basis are Park and Recreation, Permanent Building Committee, Personnel Board, and Water and Sewer Commission. Bragan clarified that this service would be used to pay someone to act as clerk (as opposed to creating minutes from a recording of the meeting).

Procurement Officer Marie Sobalvarro and DPW Director Tim Kilhart put an old dump truck and some old street signs out on a bid site and received a total of \$11,210.

Announcement of a pole petition hearing for Old Mill Road near Blanchard. The hearing will be held at the next meeting.

Town Reports submissions are past due.

The Moderator is still looking for two people to serve as Associate Members on the Finance Committee.

Bragan received correspondence about proposed marijuana legislation to increase oversight of host community agreements between marijuana businesses and municipalities. On a Maiore/Wallace motion, the board voted unanimously to have the town administrator contact Senator Jamie Eldridge to make it clear the Harvard Select Board opposes proposed marijuana legislation.

Bragan gave a copy of a draft debt policy for discussion at the next meeting.

Public Communication

Guy Oliver, Old Mill Road, asked what measures will be taken to avoid a repeat of the broken fire hydrant that occurred this past weekend. He suggested a shut off at the water tank itself. Bragan reported the Water Commissioners were meeting this week to discuss their options.

Sign Request

Bragan said St. Andrews parish in Ayer is requesting permission to install a sign on Route 110 at the Ayer/Harvard town line. St. Andrews has similar signs up in other locations. On a Maiore/Wallace motion, the board voted unanimously to approve request to install sign on town land.

Special State Election Warrant

On a Wallace/Minar motion, the board voted unanimously to endorse special election warrant for March 3, 2020.

Hildreth House Connector Warrant Article

Von Loesecke explained now that the cost estimates (approx. \$500,000) and designs for the proposed connector are completed the board must decide whether or not they will include a warrant article for the connector and sprinklers for the Hildreth House on the Annual Town Meeting warrant. Wallace and Sklar were disappointed by the designs. They think it will detract from the new building and are confident there are better uses for these funds. Wallace is unsure going to the town with this proposal when the board members are not all in favor could confuse matters and risk passage of the new building. In addition, Wallace noted the Council on Aging has decided to remain neutral, however they will not support the project either. Minar and von Loesecke agreed the design was not attractive however believe adjustments could be made. They strongly advocated for allowing the town meeting to decide by giving it the option. They both felt it was acceptable to include the project on the warrant even without full board support. Maiore too agreed with Sklar and Wallace. He is not entirely comfortable to bring this to the town if they do not support it themselves.

On a Maiore/Wallace motion, the board voted to not support the connector to the Hildreth House or sprinklers at the Hildreth House and it be the position of the Select Board to not put on the warrant. Minar was extremely disappointed in the proposed motion and advocated heavily to allow the voters to decide. Von Loesecke agreed and again said adjustments to the design could be made. Wallace cautioned any adjustments will also cost money. Sklar held his position fearing this could affect phase II negatively.

The vote was taken (3-2 Wallace, Sklar, Maiore – Aye, von Loesecke & Minar – Nay)

Select Board reports

Maiore reported the Open Space Committee has had their first meeting. Peter Dorward will serve as chair. They plan to meet monthly.

Wallace reported the Community Resilience Working Group (Municipal Vulnerability Program MVP) has had an initial meeting and plan to meet every two weeks. Community & Economic Development Director Chris Ryan is working on a Request for Proposals (RFP) to hire a consultant for their first phase.

Wallace asked when and who would be removing carpets at the old library after the Board of Health's ruling and if the Capital Planning & Investment Committee (CPIC) would reconsider the old library roof replacement for this year. Bragan noted the Select Board can put the article for the roof on the warrant.

Bragan did not recall CPIC revisiting the roof request. He said the Finance Committee is reviewing now and reminded the board they will have the final say.

As far as the carpets at the old library, Bragan said the interior is the responsibility of the tenants per the lease agreement. The board members expressed concern as the landlords, is the town acting negligently? Minar could not understand how a failure to maintain the envelope that caused damage to the interior could be the responsibility of the tenants. Von Loesecke noted the gallery and vestibule area always had water filtration issues. Wallace explained carpet was chosen over tile in the "south porch" as the less expensive option, believing the temporary repair to the roof over that section would be sufficient until the entire roof was repaired.

The meeting was adjourned at 9:40pm.

Documents referenced:

Luescher vol form – dated 1.5.2020

Carlson Orchards draft conditions – dated 2.6.2020

CPC summary – dated FY21

Hildreth House Connector drawings – dated 1.30.2020