

Select Board Minutes

Tuesday, September 15, 2020

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:

Chair Alice von Loesecke, Rich Maiore, Kara Minar, Stu Sklar, Lucy Wallace, Rich Maiore

Town Department attendees:

Town Administrator Tim Bragan, Assistant Town Administrator/HR Director Marie Sobalvarro, Executive Assistant Julie Doucet, Police Chief Ed Denmark

Additional participants:

**Refuge Complex Manager for the Eastern MA NWR Refuge Complex Linh Phu
Wildlife Officer Brian Willard**

Discuss speeding on Still River Road & other concerns related to use of the Oxbow Wildlife Refuge at the end of Still River Depot Road

Board member Kara Minar invited Still River residents to talk about their concerns with traffic speeds and unwanted behavior in the Oxbow Wildlife Refuge. Refuge Manager Linh Phu and Wildlife Officer (enforcement) Brian Willard were present as well. Phu explained that the Refuge Complex is comprised of eight NWR Refuges, as far east as Monomoy and west as Oxbow which she must manage with a staff of ten. Minar explained these issues are impacting residents' quality of life and pose a threat to public safety. Police Chief Ed Denmark has attended neighborhood meetings where additional signage, thickly settled designation and increased police presence were discussed as possible measures to reduce speeding in the area. Wildlife Officer Brian Willard joined the discussion specific to issues within the Oxbow complex itself. He explained that there are only two officers assigned to cover the entire Refuge Complex whose primary responsibility is for safety and resource protection. He noted their federal powers are limited to the refuge however they do work closely with local law enforcement. Willard and Phu are aware of the increased popularity of this area which unfortunately has led to a rise in graffiti, trash and reckless behavior of local teens and many from surrounding communities. Willard and Phu are committed to assisting with local efforts to diminish the troublesome activities while continuing to encourage use of the refuge by residents as intended.

Public communication on this subject

John Anderson, 16 Still River-Depot Rd, notices more activity in late spring and afternoon/evenings in the summer. He would like to see more police presence during these times.

Arlene Genova, 3 Still River-Depot Rd, suggested speed bumps or speed tables as you enter the area and strategically spaced. She believes this will prevent speeding and allow more enjoyment of the village area.

Amy Cataudella, 24 Still River-Depot Rd, has two children in middle school and has lived in town for four years. She has witnessed tailgating, drag racing, teens sitting on window sill of vehicle while it is moving, profanity amongst other things. She indicated these activities happen at all hours of the night no matter the weather. She is afraid to let her children walk alone or be independent getting on and off the bus. Cataudella agrees something must be done before someone is hurt or killed.

Sharlene Tuttle, 203 Still River Road, appreciates the offer of this time to talk about ongoing issues in her neighborhood. She has personally experienced the loss of a pet and her vehicle being sideswiped due to excessive speed in the area. Tuttle said the concerns are long overdue.

Nick Browse, 201 Still River Rd, asked about drug dealing down at the Oxbow. Chief Denmark confirmed he has nothing concrete to report.

Cathy Lucey, 14 Still River-Depot Rd, agrees with concerns expressed. She has seen up to 65 cars a day in the summer going up and down the roadway.

Jen Arner Welch, 207 Still River Rd, has experienced traffic to and from the Oxbow at all hours. She welcomes any help the Oxbow staff and local officials can provide.

Katharine Treadway, 30 Still River-Depot Rd, expressed her gratitude for this democracy at work and the willingness for compromise.

Craig Maxey, 3 Still River-Depot Rd, applauded his neighbors for coming together on this important issue.

David Fay, 222 Still River Rd, agrees the problems have increased over the past few years. He wondered if a gate would work considering the large parking area that would continue to be accessible.

They brainstormed the idea of a gate either manual or electronic and maybe closing the restrooms at the Oxbow along with targeted enforcement. Everyone was in agreement there is a real need to find a balance that will encourage good users, safety and discourage bad behavior. Lucy Wallace suggested Still River residents consider joining the Friends of the Oxbow National Wildlife Refuge if they wanted to improve use of the Refuge by the general public. Rich Maiore offered the idea of increasing fines for speeding in this area and adding signage on Still River-Depot Rd that states residents only from dusk till dawn.

Minar raised the need for greater speed enforcement in Still River Village and suggested signage at either end of Still River Road indicating it is a “Thickly Settled” area. She showed a map based on the assessors’ data that indicated the distance between houses met this standard. Chief Denmark explained the sign could advise a speed limit of 25 MPH, but that by law the enforceable speed limit in a “Thickly Settled” areas is 30 MPH. Von Loesecke suggested we look into the “Thickly Settled” signage and speed tables as ways to manage traffic speed.

Minutes

By a roll call vote, Wallace –aye, Minar – aye, Sklar – aye, Maiore – aye, von Loesecke – aye, the board voted unanimously to approve minutes of 8/27 as presented and 9/1 as amended.

Select Board goals for FY22

Von Loesecke shared the FY22 draft goals with assignments. The board made a few minor adjustments and assigned responsibilities.

Set parameters for the FY22 budget season

Tim Bragan has begun drafting a letter to the Finance Committee with recommendations for the upcoming budget season. Von Loesecke noted this budget season is slightly different than in years past due to the uncertainty of state funding levels due to the Covid 19 pandemic. In addition, Bragan reported there continues to be a push to change the funding formula for education which would likely have a negative impact on Harvard. The funding formula being proposed would provide increased funding to larger communities. Bragan agrees with von Loesecke that the best approach for this budget season is to recommend level funded. This approach allows the town to add back to budgets instead of having to cut them. Everyone agreed with this approach.

Town Administrator Report

- KOMAN government Solutions, LLC did the testing at the Ryan Land well for PFAS and we are expecting the results back at the end of September and the beginning of October.
- The License Agreement for National Grid Pole relocation was sent in and received by National Grid but they are unable to start the project as they have not yet received the Bromfield trust Easement.

- Background checks for Apple Guy Flowers, LLC are in process. When the Board meets with them you will have all of their information.
- Capital Planning and Investment Committee started its FY22 process. He asked the board members to inform him of any projects they want submitted.
- Bragan worked with the DPW and HR Directors to fill one of the DPW vacant positions with Blaine Washburne of Townsend, Massachusetts. Blaine will be starting on Monday, September 21, 2020. The second vacant position will not be filled until October 19, 2020 and will be filled with Alexander Page of Lunenburg, Massachusetts. Alex is starting in October so that he can learn his plow route before the snow flies and assist in getting ready for winter operations.
- The new police hires are slowly getting through the medical and background checks and I should have an announcement at our next meeting on these appointments.
- By way of a financial update the State revenue for July and August (after being adjusted for FY20 revenue) have come in ahead of last year's numbers by 4.3% and .3% respectively. Accordingly each of July and August revenues account for only 6.7% of the State's overall budget (see attached SHNS articles) The state has not come out with plans for the remainder of the FY2021 season and will either pass another interim budget or start work soon on finishing the FY2021 budget. I believe the State is waiting for the Federal Government to provide additional aid which will not be forthcoming prior to the November elections. As for numbers we know now, local aid and Chapter 70 will be level funded for FY21, our Cherry Sheet Estimated Assessment and Charges are expected to increase by \$37,468 (see attached Cherry Sheet documents) which is predominantly related to Charter School Sending Tuition (\$392,561 for FY21 and \$423,966 for FY22)(note: we do not know what Charter Tuition Reimbursement account will provide at this time.) With respect to the future it is unknown but guaranteed to be fiscally rocky. I expect that Local Aid will be impacted but to what degree is not known at this time. There are items in the news that relate to wealthier communities and education aid (see attached SHNS article) that discusses the need to change the Education Funding Formula and moving those funds to communities where there is greater need. (Stay tuned)
- Coil Brothers LLC have been notified they were approved for a provisional license last Thursday. We have not heard anything officially from the State at this time.

Appointments

By a roll call vote, Minar – aye, Wallace –aye, Sklar – aye, Maiore – aye, von Loesecke – aye, the board voted unanimously to appoint Gwen Leonard as the Planning Board representative on the Open Space Committee.

By a roll call vote, Minar – aye, Wallace –aye, Sklar – aye, Maiore – aye, von Loesecke – aye, the board voted unanimously to appoint Janet Vellante to the Insurance Advisory Committee.

Update on town fee review

Bragan has been working with Assistant Town Administrator Marie Sobalvarro to compile the data collected from other communities for the fee review. They are still in need of additional information. He asked the board members to review the data collected thus far and contact him with any questions.

Discuss Ayer Rd town portion issue

Bragan reported resident Cindy Russo brought this to his attention when she was reviewing the engineering plans for the Ayer Rd project. He reviewed this with DPW Director Tim Kilhart who in turn shared this with the project engineers. It appears the project stops short about 100ft from the town line. They agree the project should include the full town portion. Bragan is trying to determine if Chapter 90 funds will be necessary to complete this section of the project.

Finalize Special Town Meeting warrant

Bragan provided the board with draft six of the Special Town Meeting Warrant.

By a roll call vote, Minar – aye, Maiore– aye, Sklar – aye, Wallace – aye, von Loesecke – aye, the board voted unanimously to support articles 3 (Bromfield School Ramp) and 4 (Scada System upgrade).

Bragan has tasked the CoA Director Debbie Thompson and Community & Economic Development Director Chris Ryan to speak to article 5 (Emergency rental assistance program). By a roll call vote, Minar – aye, Maiore– aye, Sklar – aye, Wallace – aye, von Loesecke – aye, the board voted unanimously to support article 5.

By a roll call vote, Minar – aye, Maiore– aye, Sklar – aye, Wallace – aye, von Loesecke – aye, the board voted unanimously to support articles 6,7 & 8. Von Loesecke will present them.

Planning Board liaison Rich Maiore is seeking questions and/or comments from his fellow board members to relay back to the Town Planner Chris Ryan and PB Chair Justin Brown on article 9 (Senior residential development). Maiore realizes this article is coming together quickly and his efforts are simply to support the Planning Board as best he can. Minar is skeptical the article will pass due to the length of the proposed bylaw and the short amount of time before the October 3rd town meeting. She acknowledged it is a complicated issue and applauded the Planning Board for their efforts. Lucy Wallace wondered how much of the design criteria could be incorporated into the bylaw. She suggested more detail in the regulations would make the bylaw simpler for the general public to understand. Maiore said the PB is not inclined to wait on this and he agrees finding a way to simplify the bylaw language is the better way to go. He asked that Board members send comments and edits to him by Friday, September 18th to share with the PB. Bragan will provide the Board with word versions of the bylaw for editing. The Select Board members will vote on this article the morning of the town meeting.

By a roll call vote, Wallace – aye, Maiore– aye, Sklar – aye, Minar – aye, von Loesecke – aye, the board voted unanimously to approve warrant version six.

Select Board Reports

Minar reported the Harvard public library is hosting author Paul Trembley. The link is on their website.

Minar was talking with the Board of Health about the reverse 911 calls that went out due to the issues at the pond. She was informed that some residents did not receive the call due to it being labeled as a robo call. She has been in contact with Fire Chief/Emergency Management Director Rick Sicard about this issue as well. Once information is provided it will be posted on the town website.

Minar said the Energy Advisory Committee has discussed applying for state incentives in the event there is additional capacity in the future.

Sklar reported the War Monument Restoration Committee is opening bids for the corner monument restoration.

By a roll call vote, Minar – aye, Maiore– aye, Sklar – aye, Wallace – aye, von Loesecke – aye, the board voted unanimously at 9:37pm to enter into executive session, as authorized by Chapter 30A, Section 21.3 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. The Board will reconvene into open session only to adjourn.

The meeting was adjourned at 10:00pm.

Documents referenced:

Still River discussion – GIS map dated 9.15.2020

Draft FY22 goals

Town fee data spreadsheet – dated 9.15.2020

Town maps – dated 1950