



Select Board Minutes

Tuesday, March 21, 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

Town Department attendees:

Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro, Executive Assistant Julie Doucet, Finance Director Jared Mullane, DPW Director Tim Kilhart and Fire Chief Rick Sicard

Additional participants:

Carl Sciple, Patrick Vallaeyes, HCTV Chair Nick Browse,

Appointments

Devens Enterprise Commission (DEC)

Executive Assistant Julie Doucet explained the alternate position on the DEC has been vacant for quite some time. Resident Carl Sciple was approached by existing DEC Commissioner James DeZutter to volunteer as the alternate. DeZutter plans to step down as commissioner in the spring and he is recommending Sciple to fill his vacancy when the time comes. Serving as alternate is a good first step.

By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Carl Sciple as alternate on the DEC.

Cable Committee (HCTV)

Patrick Vallaeyes introduced himself giving his background and relevant experiences in town. He was approached by current HCTV Chair Nick Browse to consider volunteering for HCTV. Browse is pleased to welcome Vallaeyes to the committee. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Patrick Vallaeyes to the Cable Committee.

Finance Department fees

Finance Director Jared Mullane came to propose fees that could increase revenue for the town and productivity in the Finance Department. He suggested the following fees:

- A \$10 rush fee for a Municipal Lien Certificates (MLC) requested within 1-2 days. This is a legal document that lists all unpaid taxes, assessments, and utility charges on a particular parcel. They have ten days to fulfill the request.
- \$150 delinquent tax request fee. This would only be assessed to banks/financial institutions/tax services as the requests are made frequently and with interest accruing daily it must be rerun each time a request comes in.
- \$2 duplicate copy of bill. This would only be assessed to banks/financial institutions/tax services. Tax services often request replacement tax bills often times it may be a request for multiple tax bills.

By a roll call vote, McBee – aye, Minar – aye, Ludwig -aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve \$25 rush MLC, \$150 delinquent tax request and \$2 replacement tax bill fees.

Public Communication

Fire Chief Rick Sicard was present to provide an update on the response from the last snowstorm. He indicated there were significant power outages in town but no trees or downed wires. He was frustrated with the communication and lack of response from National Grid and has since learned there has been quite a bit of turnover at National Grid therefore many of the processes previously in place for storm response have

unfortunately gone to the wayside. Emergency response training will be conducted with National Grid to reeducate them on how these situations must be handled in the future.

Minutes

By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve the minutes from 2/15 & 3/7, as presented.

Signatory for the Lead Service Line Inventory Grant

By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve DPW Director Tim Kilhart to be the signatory for the Lead Service Line Inventory Grant.

Harvard Devens Jurisdiction Committee draft stakeholder framework

Don Ludwig explained the committee drafted this framework and are requesting permission from the Select Board to share the document with the other stakeholder communities.

By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve the HDJC framework document to be sent to other stakeholders.

Funding for the landfill closing and monitoring

Town Administrator Tim Bragan has received estimates for the initial installation and monitoring work required to properly close the old landfill. He is recommending utilization of ARPA funds to start this first phase and he will work with the Capital and Finance Committees on funding options for the ongoing monitoring that is also required. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve use of ARPA funds for monitoring wells at the Transfer Station up to \$200,000 and initial testing for the old dump.

Funding approaches/finalize omnibus budget & town meeting warrant

Town Administration offered possible ideas/solutions on how best to utilize remaining ARPA funds. They talked about the DPW and Fire Dept facilities and the imminent facility needs both departments are facing. Tim Bragan suggested the Select Board consider ARPA funds for the funding of the DPW construction documents. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve up to \$600,000 from ARPA funds for the DPW building. Finance Director Jared Mullane gave the budget a final review mentioning the only variables now are new growth assessment. He reported the Finance Committee voted to recommend this final budget version to the Select Board. Mullane expects the final state budget in June/July. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve the FY24 budget as presented. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve warrant as amended.

Staff Report/Updates (Attachment A)

Select Board Reports

Erin McBee reported the Planning Board initial hearing on Ayer Rd proposed overlay district went better than expected. Hearings will continue. She reported the developer will hold an information public meeting on Wednesday, March 29th.

The meeting was adjourned at 9:00pm

Documents referenced:

Sciple vol form – dated 3.1.2023

Vallaeyes vol form – dated 3.10.2023

Finance Director memo – dated 3.16.2023 Lead Service Line Authority to File – March 2023

HDJC doc – dated March 2023

ATM Warrant – dated 4.29.2023

Staff Report
March 21, 2023

1. Grants and Miscellaneous updates:

- a. The Green Communities grants for the Library Insulation and the Police hybrid cruiser were approved on the 16th of this month.
- b. Chief Babu received a grant for purchasing new school speed limit signs to be installed in Still River. It is a radar unit as well.
- c. The Townwide Cleanup and Garlic Mustard pull are looking at May 4th to May 7th and this will be on the Boards April 4th agenda for your approval and support.
- d. National Grid announced it is decreasing its rate from 33.89 cents/kwh to 14.12 cents/kwh beginning in May. As you can see from the attached chart the Municipal and School rates along with our CCA rates are still lower than National Grid's rates.
- e. Status on the annual appointment process: Attached you will find a list of the most current vacancies and an updated spreadsheet showing who has expressed interest in continuing and those who will not seek another term. I believe I have received one new volunteer thus far.
- f. The annual town report has been sent to the printer.
- g. Attached is the post card for mailing with announcement of the town meeting and election dates. Will work to possibly add a QR code.

2. State Fiscal Notes if Interest: (State House News Service)

- a. Lottery profits were up \$40 million year over year this past January.
- b. The Lottery still has weak links though; scratch tickets, Keno, the Numbers Game, and Mass Cash are all in the red this year. These dips in product lines are being masked by sales in Power Ball and Mega Millions, both of which have had very large jackpots which brought larger number of people playing these games. This is something to keep our eyes on since lottery revenue is used throughout the State budget.
- c. With respect to tax revenue the State finds itself \$1 Billion over the benchmark, which equates to an overage of 4.4%. This is only .2% off of last year's record tax revenue.
- d. The Pioneer Institute came out with their review of Governor Healy's budget and tax breaks and I have attached it to this report.

- e. A number of Municipal officials and the MMA urged the governor and legislature to provide significant increase in road and bridge funding. Behind this call is the data that the state has provided \$200,000,000 a year since 2011 but construction and maintenance costs have increased nearly 66% thus making that same \$200 Million in 2011 equal to only \$68.6 Million in today's dollars. The MMA and others are looking for an increase of \$130 Million to bring the annual bond bill to \$330 Million. The Governor so far has not acted on the requests but did put forward \$400 Million to cover the next two years, thus not making any increases in this area.
- f. Municipal leaders are proposing a new State Revenue-Sharing Plan as the current amounts and distribution formula are old and outdated.

3. PFAS – Forever Chemicals: (State House News unless otherwise stated)

- a. Last month I provided the Board with the attached article from WBUR regarding Massachusetts' towns having to face the true cost of water and since then, according to an article in the Lowell Sun, which was written originally for the State House News, a number of environmental groups have called for a ban of these forever chemicals. They cite the fact that "10 parts of PFAS today will continue to climb unless you remove the source." Thus, the forever nature of these chemicals.
- b. Earlier this month the Lowell Sun published another article that talks about these forever chemicals getting new limits from the EPA in the next few months. Currently the Federal Government recognizes 70ppt as a limit while Massachusetts acceptable level is 20 ppt.
- c. The EPA released their recommendation, regarding forever chemicals, and are looking to drop their number down to 4 ppt according to a recent document that they released for comments.
- d. Just a reminder that the BOH is holding their Private Wells and PFAS information meeting and update this Thursday night at 7PM at Town Hall and on-line. (Zoom Meeting ID: 889 5924 6793 and Passcode: 580170)

4. Personnel:

- a. We are saddened to announce that Nicholas Abruzzi notified us that after consulting with his wife he has changed his mind and decided not to take the position of Director of Parks and Recreation. We have notified the Chair of Park and Recreation and are working diligently to fill the position and we are reaching out to Alexandra Luck to see if she could get the beach program ready to open and the thought is we would have someone filling the position by the time the beach actually opens.

5. Buildings and Property:

- a. The final punch list for the COA project is being worked on this week.
- b. The legislation for Municipal and Public Safety Buildings was filed on January 20, 2023 and has a Senate Docket number of 2257 and will be moving through the legislature over the next two years. See the attached proposed legislation.

6. Notice, Reminders, and Updates:

- a. Please RSVP to lkelly@harvard-ma.gov for the State Ethics Commission training which has been changed to 04/11/2023 from its original date of 3/14/23, which was canceled due to weather. The training will start at 7:00 p.m. at Volunteers Hall