



**Select Board Minutes**  
**Tuesday, August 22, 2023**  
**7:00pm**

The Select Board Regular Meeting was held virtually in accordance with Chapter 2 of the Acts of 2023, An Act Making Appropriations for the Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects, and signed into law on March 29, 2023, this meeting was conducted via remote participation.

**Select Board participants:**

Rich Maiore, Charles Oliver, Don Ludwig, Kara Minar  
Erin McBee was absent.

**Town Department participants:**

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

**Additional participants:**

Melynda Gallagher, Matthew Varrell, Katherine & Steven Rines

**One-Day Liquor Licensing Hearing – Lost Shoe Brewing**

Harvard Alpaca Ranch owner Matthew Varrell is working with Melynda Gallagher from Lost Shoe Brewery for an event they are holding in September. Varrell said they have sold 30 tickets and will not be selling anymore. By a roll call vote, Minar – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to approve the one-day license request for the Lost Shoe Brewing at the Alpaca Ranch on September 2<sup>nd</sup>.

**Close the Dog Hearing & finalize the decision**

Town Administrator Tim Bragan shared the draft decisions with edits from feedback he received. He highlighted the section on fencing for further discussion. Bragan confirmed both dogs were indeed neutered as that question came up during the hearing. Kara Minar read an email from resident Deborah Skauen suggesting a 6ft fence, fencing buried beneath to prevent the dogs from digging under, electric sheep fence placed inside the primary fence/turned on whenever the dogs are out, dogs may be out only when a responsible adult is on the property, dogs may be outside the fenced area only when muzzled, leashed, and must have its own handler. Minar agreed with the suggestions made. Bragan shared pictures of the current fencing and confirmed the dog officer was satisfied with the additional fencing. Charles Oliver supported the 6ft fencing assuming proper containment of the dogs will be in the best interest of the dog owners. Rich Maiore asked to include notification to the town within 6 months upon completion of dog behavior training. Complainant Libby Levison did not have any specifics to add to the decision. She asked if the fine was per offense or per dog. Bragan answered per offense.

By a roll call vote, Minar – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to approve the following order relative to dogs Milo and Otis located on Old Shirley Road owned by Cody Osgood and Jennifer Rulka, as amended. Libby Levison thanked everyone for their efforts and is hopeful this will never happen again. By a roll call vote, Minar – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to close the dog hearing.

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### **Public Communication**

Denis Bradley asked when the Select Board will revisit the letter sent from the ACLU regarding the 4<sup>th</sup> of July parade policy. Rich Maiore said legal counsel is working on this. He anticipates it will be on an upcoming agenda.

### **Minutes**

By a roll call vote, Minar – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to approve minutes from July 14<sup>th</sup>, as amended.

### **Staff Report/Updates (Attachment A)**

#### **Appointments**

By a roll call vote, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Greg Newman as Constable.

By a roll call vote, Minar – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to appoint Abbe Besse as School Dept Rep on the Open Space Committee. Maiore noted Linda Dwight will serve as a co-rep when Besse is unable to attend.

#### **Act on request to install horse crossing signs on Bolton Road**

Owners of Sherifffmuir Farm, Katherine, and Stephen Rines, proposed the installation of 30” diamond horse crossing signs on Bolton Road. They have spoken with Police Chief Babu. Given a recent incident the Rines believe installing these signs are a prudent step to take. They will alert drivers to the presence of horses and encourage them to exercise caution in the area. The Rines will pay for the installation of the signs. By a roll call vote, Minar – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to approve the sign request.

#### **Review and discuss non-resident appointment policy**

The board members reviewed the draft policy. A few minor edits were made. By a roll call vote, Minar – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to approve the policy, as amended.

#### **Review and act on cell tower bid documents**

Town Administrator Tim Bragan has been working with our consultant and resident Bill Johnson to refine the documents and prepare a pricing structure change. By a roll call vote, Minar – aye, Oliver – aye, Ludwig – aye, Maiore – aye, the board voted unanimously to approve the IFB.

#### **Select Board Reports**

Rich Maiore asked to have Gale Associates attend a meeting once they have gathered information for the Field Assessment RFP.

The board decided to meet on Tuesday, August 29<sup>th</sup> to discuss the Department of Transportation’s recent letter about bump outs included in the Ayer Road project.

Documents referenced:

Lost Shoe one day liquor license request – dated June 2023

Draft dog decision – dated 8.22.2023

Sign request – dated 8.8.2023

Draft Non-resident appointment policy – dated 8.15.2023

Cell tower bid docs – dated August 2023

The meeting was adjourned at 8:15pm.

**Staff Report**  
**August 22, 2023**

1. Miscellaneous:

- a. The Worcester Regional Retirement System received enough yes votes on their inquiry for an additional 2% COLA increase for WRRS retirees.
- b. The Massachusetts Municipal Association sent out the attached document regarding Governor Healey's declaration of a state of emergency within the Emergency Assistance Family Shelter program. A FAQ document is also attached on how people across the State can help.
- c. Massachusetts overall housing stock production rose just 3.95 between 2020 to 2022. This puts Massachusetts at 41st out of the 50 States in housing production.
- d. The State adjusted its approach to MBTA Community housing by making it more flexible. They are now allowing housing in mixed use buildings with commercial space on the ground floor to count towards a community's compliance. This does not change the total number of units required. The new Housing Secretary, Ed Augustus, said that the law will now take into consideration the existence and impact of "mixed-use" zoning that requires ground floor commercial uses in buildings that also allow residential units "as of right" on other floors. MBTA towns that do not comply with the new housing law will not be eligible for state grant programs (MassWorks, Housing Choice Initiative, and Local Capital Projects Fund) and the State will consider a community's compliance when making funding decisions for 13 other community planning grant programs as well (Massachusetts Downtown Initiative, Urban Agenda, Rural and Small-Town Development Fund, Brownfields Redevelopment Fund, Site Readiness Program, Underutilized Properties Program, Collaborative Workspace Program, Real Estate Services Technical Assistance, Commonwealth Places Programs, land use planning grants, local acquisitions for natural diversity grants, and Municipal Vulnerability Preparedness Planning grants).
- e. The Personnel Board will be meeting Wednesday 8/23 to review inflation data; an extract from their packet is attached as an FYI.
- f. The Moderator appointed Noyan Kinayman to the Finance Committee.

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

- a. Governor Healey signed the State budget after vetoing \$272 million as well as some outside sections of the budget.
- b. The State Budget ended fiscal year 2023 in deficit by an estimated \$39 million or \$177 million. The \$39 million is based off of the original estimate the state used for the FY23 budget (which was amended upward in the legislature and current Governor). The \$177 million deficit occurs when figuring in the 4% surtax on income over \$1 million which goes to education and transportation.
- c. One of the items that did not make it again this year, not including tax-relief, was on-line lottery, which was expected to help increase lottery revenues for which the House based its budget.

3. Police Updates:

- a. Activity: The department responded and/or initiated service calls for 1631 calls from June 25, 2023 until August 21, 2023. Calls of service were self-initiated service calls (i.e. radar assignments, business checks) and dispatched calls, summonses, arrests and other incidents and investigations.

- b. Staffing Changes Update: Detective Daniele Fortunato will depart from the Harvard Police Department on August 31 due to a long commute impacting her family time; she'll join the Millbury Police Department. With her departure, Dusty will accompany Daniele. Meanwhile, we're excited to welcome back Timothy Schaeffer from the Boxborough Police Department. After serving Harvard for seven years, Tim returns to join us as our new School Resource Officer. Additionally, Charles Genetti, who has dedicatedly served Harvard since 2012, has been appointed as our new detective and court officer. We are confident Charlie will excel in this new capacity. We wish Daniele the best in her endeavors and are optimistic about the contributions of our team members in their new roles.
  - c. Traffic Updates: We're thrilled to share that our new School Zone Feedback Signs will soon be up at the Immaculate Heart of Mary School on Still River Road, thanks to a competitive Mass DOT grant. We anticipate these signs to be operational in the coming weeks. Furthermore, in collaboration with the DPW Director, we have secured another traffic safety trailer via a state Mass DOT grant. This new trailer will include data collection capabilities, enhancing the efficiency of our traffic enforcement operations.
  - d. School Update: Following a Department of Labor Standards inspection earlier this year, recommendations were made to enhance the safety of school crosswalks. To ensure motorists have an unobstructed view of the crosswalks, parking has been prohibited adjacent to crosswalks where Crossing Guards are positioned, and parking restrictions now extend 20 feet before and after each crosswalk. Thanks to the diligent efforts of Tim Kilhart and his team, these safety measures have been implemented. Additionally, the school crossing guard will be back on Mass Ave this fall, further ensuring the safety of our students and community members.
  - e. Community Service: Daniel and Dusty attended National Night Out in Worcester, where they represented the Harvard Police Department alongside numerous departments. She also attended the "Comfort Dog" symposium at Brown University and did a demonstration at Littleton Police Student Academy with various comfort dogs for the young students.
  - f. Training Update: Our commitment to ongoing training and re-certification remains strong. Officer Miner successfully completed his re-certification with POST on July 1st, in line with the triennial requirement of the new state law. Starting in September, we have an array of training events planned, ranging from in-service to in-house sessions. Additionally, we'll be integrating new components to further enhance the capabilities and skills of our police officers.
4. Buildings and Fields:
- a. Gale Associates continues, again, to gather information from various sport groups; 5 out of 14 groups have responded for the follow-up Zoom meeting. Gale's comprehensive overview of existing field inventory and utilization will have a decision matrix (and associated cost detail) highlighting ways to address our fields' overuse.
  - b. Weston & Sampson will hold their kick-off meeting on Tuesday, 8/22 at the DPW for the schematic design phase.
  - c. Solect Energy was performing their due-diligence at the COA last week for the solar panel installation.

5. Notice, Reminders, and Updates:

- a. The Lions Club revised their license request to include entertainment at the Fall Festival. The board will be asked to approve that request at their next meeting as they did with the one-day license.
- b. Zoom-bombing, like COVID, is back. Ideally, all boards meeting remotely or hybrid should have at least 2 members familiar with how to address in-meeting zoom-bombers.
- c. Second time announced - Draft non-monetary articles and those of a monetary emergency nature are due to the TA by September 15, 2023 at 10AM.
- d. Just a reminder that I am unable to attend the meeting on the 5<sup>th</sup>.