



Posted 9.16.2021 at 3:30pm by JAD

**ALL BOARDS MEETING  
AGENDA  
Tuesday, September 21, 2021  
7:00pm**

**The Select Board Regular Meeting is being held virtually in accordance with legislation S. 2475, an act relative to extending certain COVID-19 measures adopted during the Covid Pandemic state of emergency. Interested individuals can listen in and participate by phone and/or online by following the link and phone # below.**

UpperTH ProWebinar is inviting you to a scheduled Zoom meeting.

Topic: All Boards Meeting

Time: Sep 21, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87043120316?pwd=SzZGZ1B4T2tobjJmU1htSHM4dEkxQT09>

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**Agenda Items**

- 1) Call Meeting to Order – Select Board Chair Stu Sklar
- 2) Select Board Goals for FY2022 and Introduce Code of Conduct
- 3) Boards/Committees/Commissions: goals and updates
- 4) Finance Committee budget preparation for FY2023

## FY22 Select Board Goals/Action Items

### Economic

- Create a process to determine optimal utilization of ARPA (American Rescue Plan Act) one-time federal funds. (Entire SB, in conjunction with Finance Committee, CPIC, and School Committee)
- Develop a detailed plan to address the town's structural deficit;
  - Discuss the issue of structural deficit at all boards meeting. (AV)
  - Examine the budgeting process, assumptions/forecasts. (AV)
  - Diversify Tax Base:
    - Ayer Road Development
    - Continue to investigate Agri-tourism
    - Allow more microbusiness in Agricultural Residential zone
    - Revenue Ideation Committee

### Policies/Procedures

- Review, revise and update
- Adoption and promulgation of a Code of Conduct (SB)
- Codify process for evaluation (ranking) of a new appointment versus reappointment. (KM)
- Consider institution of term limits (conditional) (KM)
- Evaluate existing committees/boards (working groups, sub-committees, advisory) (entire SB)

### Planning

- Work with the Planning Board (KM)
  - Senior by-law
  - OSPRD (continue plan for preserving open space)
  - Creating a strategic vision for the Commercial District.

### Government

- Town Charter (AV/EM)
  - Review Charter to clarify roles and responsibilities for the Town Administrator versus Select Board.
  - Clarity areas of confusion
  - Identify any potential revisions
- Staffing Items (EM &MS)
  - Direct Personnel Board: to review MMA best practices for 360 reviews and develop formal exit interview process. (EM & MS)
  - Provide more specific direction for shared employee positions such as the Community & Economic Development Director. (Liaison &TB)
- Communication/Technology (RM, Select Board Office)
  - 1) Utilize and investigate additional technology to improve communication and increase accessibility to improve public confidence and services.
  - 2) Conduct Town wide Survey to identify community concerns/needs
  - 3) Consider options for social media to improve communication.
  - 4) Require town departments utilization of the town website and/or other methods to improve communication and access to their department.

### Public Safety (KM & EM)

- Town-wide speed limit: this will be a regular agenda item scheduled for discussion at an upcoming meeting.

# TOWN OF HARVARD CODE OF CONDUCT FOR TOWN ELECTED AND APPOINTED OFFICIALS

## I. PURPOSE

The Town recognizes that all individuals elected and/or appointed by the Town must maintain and enforce respectful discourse with their fellow elected and/or appointed members, with those who work for the Town, those who volunteer their time and services on behalf of the Town and members of the public by striving at every meeting, forum or other official interaction to treat every person fairly and with respect regardless of any differences of opinion.

This policy provides a centralized standard of conduct for all elected and appointed officials in the Town.

## II. APPLICABILITY

This policy and all its sections shall apply to all elected and appointed officials acting on behalf of the Town and covers all of their actions and communications whether spoken or written including but not limited to all electronic communications including social media.

## III. CODE OF CONDUCT

All Town elected and appointed officials are expected to act honestly, conscientiously, reasonably and in good faith at all times having regard to their responsibilities, the interests of the Town and the welfare of its residents.

The Town elected and appointed officials must refrain from communicating or acting in a disrespectful, abusive and/or threatening manner towards members of the community, other elected or appointed officials, the Town Manager/Administrator or Town Staff.

Moreover, all elected and appointed officials must fully comply with the Town's Anti-Harassment and Anti-Discrimination Policy.

Further, all elected and appointed officials of the Town must assume the following responsibilities:

### A. Conduct Generally and in Relation to the Community

- Be well informed concerning the local and state duties of a board/committee member.
- Never purport to represent the opinion of your board/committee except when specifically authorized by a recorded vote to do so.
- Accept your position as a means of unselfish public service, not to benefit personally, professionally or financially from your board/committee position.
- Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
- Demonstrate respect for the public that you serve.

- Safeguard confidential information.
- Conduct yourself so as to maintain public confidence in our local government.
- Conduct official business in such a manner that you cannot be improperly influenced in the performance of your official duties.
- Unless specifically exempted, conduct the business of the public in a manner that promotes open and transparent government.
- Comply as fully as possible with all Town policies, including, without limitation, the following:
  - Anti-harassment and Anti-discrimination Policy
  - Anti-fraud Policy
- Comply as fully as possible with all applicable laws, including, without limitation, the following:
  - The Open Meeting Law
  - Procurement Laws
  - The Ethics/Conflict of Interest Statute (G.L. c.268A).

**B. Conduct in Relation to other elected and appointed officials**

- Treat all members of the board/committee to which you belong with respect despite differences of opinion; keeping in mind that professional respect does not preclude honest differences of opinion, but requires respect within those differences.
- Participate and interact in official meetings with dignity and decorum fitting those who hold a position of public trust.
- Recognize your responsibility to attend all meetings to assure a quorum and promptly notify the chairman should you for any reason be unable or unwilling to continue to serve. Formal notice to resign from a board/committee requires written notification to the Town Clerk.
- Recognize that action at official legal meetings is binding and that you alone cannot bind the board/committee outside of such meetings.
- Refrain from making statements or promises as to how you will vote on quasi-judicial matters that will come before the board/committee until you have had an opportunity to hear the pros and cons of the issue during a public meeting.
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.

### **C. Conduct in Relation to the Town Administrator/Manager**

- Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- Give the Town Administrator/Manager full responsibility for discharging his or her disposition and/or solutions.
- Refrain from giving orders or directions to the Town Administrator/Manager for action as an individual board/committee member.
- Refrain from providing information to the Town Administrator/Manager that you would not be willing to share with other board/committee members.

### **D. Conduct in Relation to Town Staff**

- Treat all staff as professionals and respect the abilities, experience, and dignity of each individual.
- Refrain from giving instructions to or requesting assistance from Town staff but rather channel all such activities through the Town Administrator/Manager.
- Never publicly criticize an individual employee or a department. Concerns about staff performance should only be made to the Town Administrator/Manager through private communication.
- Officials who interact with Town staff must do so in a respectful manner and understand employees should not be expected to take direction from any individual official on any matter.

## **IV. DISTRIBUTION AND EDUCATION**

- The Town Clerk shall provide a copy of this policy, the Town's Anti-Harassment and Anti-Discrimination policy and the Anti-fraud policy to all elected and appointed officials upon its issuance and upon the subsequent appointment or re-appointment of any individual.
- Each individual shall sign a statement that they have read this policy and will comply with all requirements set forth in this policy. In the event that any member declines to sign the form, that fact shall be noted by the Town Clerk on the form.

## **ENFORCEMENT**

### **A. Generally**

In addition to any other remedies or enforcement options available under the law, each board/committee may vote to censure any elected member and the appointing authority may decline to reappoint an individual who violates any provision of this Code of Conduct.

If any elected or appointed official is accused of violating the Town's Anti-Harassment and Anti-Discrimination Policy, the Town Administrator/Manager shall refer the matter for investigation to the contact named in the Anti-harassment and Anti-Discrimination policy or a disinterested outside firm or individual qualified to investigate the alleged conduct. The Town Administrator/Manager shall not be obliged to obtain any additional authority; this Code shall be sufficient authority. The firm or individual to whom the matter is referred shall promptly investigate the matter and report back findings of fact and recommendations to the Town Administrator/Manager. The Town Administrator/Manager shall share the reported findings and recommendations with the elected official's board/committee. The board/committee shall then take such action as is authorized by law and as it deems fit in response to the matter.

If an elected or appointed official is accused of violating any other provision of this Code of Conduct, the board/committee that the official represents or if applicable the appointing authority may take such action as is authorized by law and as it deems fit or it may vote upon request of the Town Administrator/Manager or on its own to refer the matter to a disinterested outside firm or individual qualified to investigate the alleged conduct. This firm or individual shall promptly investigate the matter and report back findings of fact and recommendations to the Town Administrator/Manager.

The Town Administrator/Manager shall share the reported findings and recommendations with the board/committee. The board/committee shall then take such action as is authorized by law and as it deems fit in response to the matter. These remedies shall be in addition to, and not in substitution for, any other remedies that may be available by law.

## **FY22 Department/Board/Committee/Commission – Goals/Priorities**

### **Bare Hill Pond:**

1. Manage the invasive species and non-point source pollution in Bare Hill Pond and its watershed
2. Evaluate, develop, conduct and monitor remediation activities as necessary
3. Educate the community about watershed protection, best practices and the activities of the Committee in the watershed

### **BOH:**

1. Increase Board of Health Administrative Assistant hours. The BoH workload has increased significantly over the past 5 years even when excluding the COVID-19 pandemic. Not all required work is getting done. More hours are needed immediately
2. Increase outreach to the Town. Last year we managed to send out two mailings but held no information fora. We need to increase our education and outreach; the communication mechanism might need to change based on the COVID-19 pandemic.
3. Increase awareness in Town of all topics the BoH addresses.

### **COA:**

1. The COA board will work to support the purchase and renovation of the property at 16 Lancaster County Rd. as the site of the new COA offices and Senior Community Center. The board will work closely with the PBC and DAI Architects so the new center will properly serve the senior population as well as the community.
2. The COA Director will work with the FY2023 budget to develop a job description for the position of COA Assistant Director to take over running the COA in the absence of the director. Over the course of the last couple of years, it has become clear that to continue the support of this community there needs to be a position with ample hours and appropriate training to cover the duties of the director when needed.

### **ConCom:**

1. Approval of the proposed Land Use Boards organizational chart for FY 2023 that creates a full-time Director of Conservation responsible for the Conservation Commission, Open Space Committee and Bare Hill Pond Watershed Management Committee, and supervision of Board of Health staff.
2. Developing a mechanism or procedure to address cross-committee or commission coordination for topics relevant to conservation that are currently beyond the Commission's capacity to address (e.g., issues that overlap Conservation and Parks and Recreation Commission)

3. Address need for additional capacity within the Commission to participate in planning and proactive activities on issues related to mission that are otherwise overshadowed by necessary focus on administration of the Wetland Protection Act/Harvard Wetland Protection Bylaw.

## **Commission on Disabilities**

1. Attend at least one meeting of each board/committee/commission to raise awareness of CoD's existence and value of using our advisory role during discussions related to projects that directly or indirectly impact individuals with disabilities.
2. Survey all residents in Harvard to gather information that will help the CoD better understand the needs of individuals with disabilities and advocate for accessibility across the community.
3. Increase exposure via Harvard Press postings and CoD website enhancement

## **Library**

1. Complete the Audio Visual system upgrade of Volunteers Hall.
2. Begin work on digitizing resources in the local history collection.
3. Conduct space use study of library (inside and out) to find ways to maximize space to meet patrons' changing needs.

## **P&R**

1. Rectangular Field Shortage as identified in the 2016 Open Space & Recreation Plan, the 2016 Master Plan & 2018 Update, and the 2019 Athletic Field Subcommittee Interim Report.
  - Negotiate Harvard's use of Devens recreation facilities, especially playing fields, in order to meet local demand. COMPLETE
  - Manage the planning, land acquisition and requests for funding from CPC and CPIC to create new rectangular fields.
2. Field maintenance.
  - Submit a Spring TM warrant to ask taxpayers to increase the Omnibus "Parks and Commons" budget. COMPLETE
  - Develop basic annual maintenance plans, obtain DPW groundskeeping commitments and ensure this minimal service is funded.
    - Execute the recently created maintenance plan for ball fields, school property and the commons - 2 existing DPW landscape employees.
    - Add to the plan other minimal maintenance needs for Track, P&R trails and the Beach - requires 3rd DPW landscape employee being hired.
    - FAILED
  - NEW: Develop a new approach for field maintenance and go to the taxpayers for funding.
3. Ensure the annual beach revenue covers the cost of planned programs & maintenance. COMPLETE



### **Planning Board:**

1. Support all Planning Board related initiatives by enhancing staff support and organizational structure, including:
  - Consider a restructuring of the Land Use Board to provide more support for both Conservation Commission and Board of Health.
  - b. Support continued development of CRWG with clearly identified staff assistance and budget.
2. Support Ayer Road Vision Planning Phase I: Market Study and Fiscal Impact.
3. Continue housing diversification through open space residential design and senior friendly housing development.

### **School Committee:**

1. Develop a 2 year budget that allows the school district to add back service and program cuts incurred with the recent level-funded budget; maximizes the use of one-time COVID-related grants/funding sources; and identifies appropriate permanent funding sources to keep critical items added through the use of those one-time funds.
2. Seek capital funding for maintenance and renovations at Bromfield necessary to keep that building operating efficiently, safely and functional for the foreseeable future and identify future needs at HES to include in our 5 year capital plan.
3. Ensure the funding of budget priorities as identified by the School Committee and the Administration while assessing the deficit spending of the Devens Fund by reviewing the increased reliance on that fund for operating expenses, athletic, food and transportation expenses, capital projects, technology and salaries. So far the priorities discussed have included: increasing mental health and wellness programs and services; hiring a curriculum coordinator; adding a custodian for building cleaning and grounds maintenance; reducing or eliminating user fees for full day kindergarten, athletic fees, and/or bus fees; adding computer programming courses at Bromfield; completing a district Title IX review; and adding back drama and/or music personnel.

### **Select Board Office:** *(This submission ties to SB goal, ‘utilize and investigate additional technology to improve communication’)*

1. Increase of technology budget to cover
  - Additional (annual) licenses for Adobe DC software (Land Use, Police);
  - Expansion of Viewpoint to facilitate Department permitting/licensing
  - Issue-tracking software (e.g., See Click Fix),
  - Zoom subscription(s) (post 12/2021).
2. Provision of funds for training users on maximizing use of available technology (i.e., training that isn’t limited to job content but training on tools)