



**SELECT BOARD
AGENDA
Tuesday, April 30, 2024
7:00pm**

Rich Maiore, Kara McGuire Minar, Don Ludwig, Charles Oliver, SusanMary Redinger

Pursuant to 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 will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

UpperTH ProWebinar is inviting you to a scheduled Zoom meeting.

Topic: Select Board

Time: Apr 30, 2024 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

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Meeting ID: 838 5362 4062

Passcode: 029898

One tap mobile

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Dial by your location

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AGENDA ITEMS

- 1) Call meeting to order – Chair Rich Maiore
- 2) Fire/Ambulance merger impact; Collins Center presentation next steps and out of state travel request for Fire Chief (7:00)
- 3) Update by Town Administrator Search Committee; Review and vote on Committee charter. (7:20)
- 4) Approve minutes from 3/19 & 4/2 (7:30)
- 5) Public Communication (7:35)
- 6) Staff Report/Updates (7:40)
- 7) Action/Discussion Items: (7:50)
 - a) Act on 4th of July parade participant instructions, rules and code of conduct
 - b) Act on Grant of Easement Littleton County Road
 - c) Act on one-day liquor license request for Lost Shoe Brewing
 - d) Discuss dates for Strategic Planning Session
 - e) Vote to accept/certify the new ImageCast Precinct Tabulators (ICP Tabulator) and to discontinue/decertify the DS200 Tabulators for the use of elections in the Town of Harvard.
 - f) Act on board assignments for vice chair and clerk
- 8) Select Board Reports

***Next Regular Select Board Meeting
Tuesday, May 7, 2024
7:00pm***



EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT
JOHN W. McCORMACK GRADUATE SCHOOL OF POLICY AND GLOBAL STUDIES
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Memorandum

TO: Marie Sobalvarro, Acting Town Administrator/HR Director, Town of Harvard
FROM: Shawn Fenn, Public Services Manager and Stephen Foley, Associate, Collins Center
DATE: April 23, 2024
RE: Interim Status and Recommendations – Harvard EMS Regionalization Feasibility Study

EXECUTIVE SUMMARY:

In this interim status to the Town regarding the *Town of Harvard EMS and Regionalization Feasibility Study* and present the Collins Center’s preliminary analysis and recommendations regarding the merger of Fire and EMS operations:

1. Merge Fire and EMS operations; see detail on page 3
2. Implement a combined Harvard Fire-EMS organizational structure where all HAS personnel report to the Fire Chief including EMS Coordinator who will oversee day-to-day operations of ambulance service; see detail on page 4
3. Standardize/Equalize pay structure for Fire and EMS personnel; see detail on pages 4-6
4. Standardize payroll process for both Fire and EMS; see detail on pages 6-7
5. Further study on administrative support needs for Fire and EMS. See detail on page 7

BACKGROUND:

In October 2023, the Town of Harvard (“Town”) and the University of Massachusetts (“UMass Boston”), represented by its Edward J. Collins, Jr. Center for Public Management (“Collins Center”) entered into an agreement to study and present options, analysis and recommendations to the Town regarding a proposed merger of Fire and EMS operations within the Town and potential regional partnerships for Harvard Fire and EMS.

This current study follows a 2016 Collins Center engagement with the Town in which multiple recommendations were made to the Town regarding operations of HFD and HAS. *See attached “Harvard Fire and Ambulance Operations Analysis”* The majority of the recommendations from the 2016 report have been implemented to date. One of the resulting recommendations was to consolidate the Fire Department and EMS into a single department. Recognizing the challenges facing small towns in providing EMS and the need to partner with other agencies to provide a high level of services, the Town

wishes to both further evaluate this recommendation and identify other opportunities within the region to partner with other communities. The merger of Fire and EMS represents the primary recommendation yet to be implemented.

Town of Harvard EMS Regionalization Feasibility Study

Goal: To provide a report to assist the Town in making decisions on Emergency Medical Services, and capabilities of other first responders within their jurisdiction:

1. High-level feasibility study of the following potential options:
 - a. Consolidation of Fire and EMS operations into a single department;
 - b. Contract out BLS services with neighboring jurisdiction or private provider; and
 - c. Evaluation of potential regional partnerships, to include the potential of Harvard acting as fiduciary town and expanding.
2. Implementation plan, including a capital investment plan, to create a sustainable, enterprise-level program supported primarily by operational revenues, membership subscription fees, or contract revenues (for EMS operations) for each of the above options as applicable.
3. In the event option 1c is pursued, facilitation of the development of the necessary inter-municipal and regional agreements necessary to implement the above, including reviewing and adjusting any existing agreements between Harvard and current partners to fit within the regional framework.

INTERIM STATUS:

To date, the Collins Center project team has facilitated the formal project kickoff and compiled much of the requested documentation, reports, and other information needed to complete the first draft of our report. Town staff, including Fire and EMS personnel, have been very responsive and available to answer questions and meet both in-person and on-line. Document requests have been fulfilled in a timely manner and by all accounts the project remains on track according to the agreement and proposed workplan.

Next steps include detailed analysis of budget and financial data, incident response data, demographic information and trends analysis, compiling data from neighboring jurisdictions and completing the first draft of the report for review and discussion.

During the initial review of financial, personnel and incident data provided to the Collins Center as well as previous reports and recommendations from both Collins Center and Town staff including HFD and HAS leadership it has become clear that in any scenario, recommendation or outcome from the current study – the recommendation to merge Fire and EMS operations will remain a key component.

INTERIM RECOMMENDATIONS DETAIL:

Based on initial analysis, previous data and reports, and professional knowledge, experience and judgement of Collins Center team we present the following interim recommendations which the team believes the Town could begin to implement, if it chooses to do so, prior to completion of the final report:

1. Merge Fire and EMS operations;
2. Implement a combined Harvard Fire-EMS organizational structure where all HAS personnel report to the Fire Chief including EMS Coordinator who will oversee day-to-day operations of ambulance service;
3. Standardize/Equalize pay structure for Fire and EMS personnel;
4. Standardize payroll process for both Fire and EMS;
5. Further study on administrative support needs for Fire and EMS.

Collins Center interim recommendations are in alignment with *Harvard Fire Department – Harvard Ambulance Merger Background Brief October 23, 2023 (see attached)* from Chief Sicard and Interim Director Stevenson. Recommendations are also based on the following analysis of proposal cost and internal policy/process implications:

Recommendation 1: Merge Fire and EMS operations

In merging these two disciplines it furthers staffing capabilities, enhances “dual” roles and responsibilities, and provides possible opportunities for advancement that may not exist today, but could in a reorganized department.

The uniqueness of the sustainability for Harvard Fire and EMS is an anomaly across the Commonwealth. Credit goes to the leadership in developing a culture of public service to the community, while offering a high level of staffing and response. Concurrently, paid-call members in Harvard see this as an opportunity to give back through public service. In discussion with the leadership of Fire and EMS, their process of vetting potential personnel and providing a structured and documented process is key. Completion and acceptance are a foundational component to the department and each individual's success and professionalism. Following and exceeding recommended and required standards exemplifies the professionalism they bring to their respective disciplines. All too often “career” personnel are categorized as professional, when in fact all personnel, paid-call or career, who are properly trained are professional.

Combined Fire and EMS services are the norm across the country, with almost 95% of fire departments providing some level of emergency medical response. In the operational and work experience of the Collins Center team it is the same across the Commonwealth.

Recommendation 2: Implement a combined Harvard Fire-EMS organizational structure where all HAS personnel report to the Fire Chief including EMS Coordinator who will oversee day-to-day operations of ambulance service

The Collins Center team will coordinate with the Harvard Fire Chief and EMS Director on some sample organizational structures moving forward. A defined organizational structure provides a definitive “chain of command” process for the working relations within the department. It further outlines communication and human relations issues, and how those are properly managed. Concurrent to this structure is a defined “Chain of Command” for operational issues for response command and control. The National Incident Management System (NIMS), a component of the National Response Framework (NRF) provides the foundation for training and utilization of the Incident Command System (ICS). Training in ICS is federally mandated and currently utilized in Harvard. The Collins Center recommendations will build upon these two organizational elements to provide continuity for day-to-day administrative work, as well as operational command. Additionally, the Collins Center will assist in either revising or developing appropriate job titles and descriptions.

Recommendation 3: Standardize/Equalize pay structure for Fire and EMS personnel

Collins Center recommends going to a standard call-out rate and 2-hour call-out time for Fire and EMS. This simplifies payroll and administrative workload and is in-line with standard practices of other departments that operate with merged Fire and EMS. Equalizing pay among both disciplines also creates an environment and culture conducive to joint operations.

This structure can accommodate meter members who are “dual hatted” and will participate in both Fire and EMS training as well as individuals designated solely as firefighters, or solely as EMS personnel. Any pay or operational structure in Harvard should allow for those members who want to be firefighters only, or EMS only without creating cultural or morale disparities.

Currently, HFD has a 1.5-hour minimum callout time for fire responses with a .5-hour rate for the next half hour, then a flat rate for additional hours (see below). It is recommended that this pay structure is streamlined to a 2-hour minimum callout. In reviewing call and response data, many Fire callouts are roughly in the range of 1.5 - 2 hours, so it is estimated that the cost for fire responses will be minimal.

Fire	Call Firefighters	\$49.23	Per Call, first 1.5 hr Next 0.5 hr Additional hr
Fire	Call Firefighters	\$14.63	
Fire	Call Firefighters	\$29.14	

A flat rate could be implemented for the initial 2-hour callout of \$63.86, while the additional hour rate would remain the same at \$29.14 per additional hour.

The current FY24 EMT pay schedule (see below) is based on a per call rate of \$48.07 with a lower rate of \$24.04 per call for provisional EMT or scene only EMT.

Ambulance	Driver (200)	\$48.07	per Call
Ambulance	Cleared EMT (900/700)	\$48.07	per Call
Ambulance	Provisional EMT (300/500)	\$24.04	per Call
Ambulance	Cleared EMT (900/700)	\$24.04	Scene only EMT
Ambulance	Provisional EMT (300/500)	\$24.04	Scene only EMT
Ambulance	All Levels	\$48.07	Extended event, 4 hr block

If EMT pay were equalized with the call firefighter rate, assuming a 2-hour callout minimum, the rate per responder would increase from \$48.07 to \$63.86 - or a difference of \$15.79. Provisional and scene-only EMT responses could remain at a reduced rate of 50% or \$31.93 which represents an increase of \$7.89 per responder within those categories.

Initial analysis from CAD response data provided by Harvard EMS shows that in roughly 27% of responses one or more responders are “scene only” and would be compensated at the lower rate of \$31.93 in line with current practice.

Fire call-out impact of 2-hour minimum: Information provided to Collins Center indicates that most Fire responses are within the range of 1.5 - 2-hours currently, and number of calls is anticipated to remain steady so going to a standard of 2-hour call-out for Fire and EMS will have a **de minimis** impact.

EMT call-out rate increase: Preliminary analysis shows that most EMT responses are 2-hours or less, thus would be covered by the 2-hour minimum call-out rate. Using statistics provided to the Collins Center team from 2022 (434 calls) and 2023 (431 calls) we project a steady rate of 431 calls for FY25. More detailed analysis in our study will refine the projections, but differences will likely be minimal based on the current rate of population growth in Harvard.

Using a steady rate of 431 EMS calls, with a 2-hour call-out time and 2 responders per call – the proposed pay equalization would result in an increase of \$31.58 per call times 431 calls = **\$13,610.98**.

This calculation is likely a high estimate because it does not account for the estimated 27% of responders who are “scene only” currently, nor a proposed reduced rate paid to provisional EMTs. A factor that may increase the estimate is the possibility of more than 2 responders for an EMS incident – though anecdotally, it is understood that most times a 3rd or 4th responder is likely a cadet which is unpaid, or provisional with a reduced rate.

Training (EMS): Currently, Fire personnel are paid for training hours while EMT training is not paid. It is recommended that EMT training is paid, consistent with the policies for Fire.

Fire training is paid at the same rate as responses outlined above and paid quarterly along with call wages. Equalizing EMT training would have the following cost impact based on training data received from HAS:

- 48 staff including 21 full members, 7 provisional EMTs, 6 driver/first responders and 14 cadets.

- Cadets are not paid call wages, nor is it recommended they are paid for training in line with current policies.
- Training hours – estimated average of 24 hours of training per member per year. This includes in-house training and a National Continued Competency Program (NCCP) every other year.
- EMS training and certifications are required for EMS personnel to remain eligible to respond to EMS incidents.
- Training is projected to be paid at the 2-hour call-out rate of \$63.86 for 2 hours. Anecdotally, EMS training is usually in the range of 2 hours or and fees for on-line education programs are paid by Harvard, while time spent completing on-line courses or studying is not compensated. These policies around on-line training courses are recommended to stay in place.

Assuming 34 EMS staff train 24 hours per year at a rate of \$63.86 per 2-hour block (\$31.93/hr.), the projected cost to compensate EMT staff for training is **\$26,054.88**.

In total, the estimated cost to equalize pay for HFD and HAS based on preliminary analysis of data provided to the Collins Center and conversations with Town personnel is **\$39,655.86** which accounts for an increase in rate for EMS responses and paid EMT training hours.

Many factors including reduced rates for scene-only EMS responders and fluctuations in training hours or paid training policies could decrease these estimates, while an increase in responders per incident, average length of response or increase in paid training hours or compensated members could cause actual costs to increase.

One very important factor in considering the recommendation to equalize pay is the morale and culture of cooperation within the respective departments. While Harvard is an outstanding example of how primarily paid-call departments can succeed and thrive due to a unique level of civic pride and engagement, the perceived value of a staff member or role can be diminished when pay inequality exists between similar roles. With an equalized pay structure, cooperation and perceived value should increase – for example when a “dual-hatted” member has the opportunity to respond as either an EMT or firefighter, there is no consideration of compensation or perceived value in the decision-making process.

Recommendation 4: Standardize payroll process for both Fire and EMS.

Many of the recommendations made seek to simplify processes and standardize policies for Fire and EMS. Going to a 2-hour call-out minimum will make the payroll calculation process more efficient for administrative staff. Standardized rates also increase efficiency of the payroll process and decrease staff time needed to calculate and approve payroll.

By implementing the above recommendations, the merged Fire-EMS department will be able to use a single payroll system with ease, oversight will be simpler, and the approval process will be more streamlined.

Streamlined and consistent payroll process and policies will also enable a more standard pay schedule of weekly or bi-weekly which are the more common compensation frequencies within paid-call departments.

Recommendation 5: Further study of administrative support needs for Fire and EMS.

Based on conversations, research from neighboring communities and information provided to Collins Center from the Town, it has been noted that Fire and EMS would benefit greatly from increased administrative support so that leadership could focus primarily on operations and managerial responsibilities. Currently, Fire and EMS combined have roughly .5 FTE shared administrative support which is less administrative support than equivalent departments. Collins Center team will continue to undergo further research and analysis, but the initial study indicates that a joint Fire-EMS department should have a 1.0 dedicated administrative support position.

ATTACHMENT 1: *Harvard Fire and Ambulance Operations Analysis, Collins Center, November 2016*

ATTACHMENT 2: *Harvard Fire Department – Harvard Ambulance Merger Background Brief, October 23, 2023*



Select Board Minutes
Tuesday, March 19, 2024
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, Erin McBee, Kara Minar, Don Ludwig

Town Department participants:

Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro, Executive Assistant Julie Doucet, and Fire Chief Rick Sicard

Additional participants:

Terry Symula

Discuss and decide on Town Administrator recruitment/hiring process

Town Administrator Tim Bragan provided detailed information on how past searches were conducted. Bragan learned through his research the town has not traditionally hired an outside firm. He included the names of five search firms. Rich Maiore started the discussion by asking for the pros and cons to hiring an external firm or having the process handled internally. Members Don Ludwig, Charles Oliver and Erin McBee were inclined to go with an internal process. Their reasoning included the desire to keep the process moving along as the current administration will be officially retired by July 1 and to not incur unnecessary costs. Kara Minar advocated for hiring an outside firm to assure a credible and independent hiring process especially if the current assistant town administrator is a candidate. She compelled her colleagues to publish a Request for Proposals (RFP) insisting the process could not be handled at a professional level in house. Erin McBee was not convinced an outside firm is the right approach for Harvard. Charles Oliver expressed interest in having the position advertised as soon as possible. His understanding is an outside firm would simply facilitate the process and not provide any advisory services. He was not convinced an outside firm was necessary. Rich Maiore suggested focusing on the composition of the search committee as the more appropriate next step for the board to take instead of moving forward with an RFP.

Kara Minar made a motion to develop and send out an RFP for the position of Town Administrator. Erin McBee seconded the motion. By a roll call vote, McBee – nay, Minar – nay, Ludwig – nay, Oliver – nay, Minar – aye. The motion did not pass, (1-4).

Don Ludwig made a motion to go forward with town administrator search without use of an outside consultant. Erin McBee seconded the motion. By a roll call vote, McBee – aye, Minar – nay, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted in favor of the motion (4-1).

Search Committee composition

They decided the committee will consist of two Select Board members, a Finance Committee member, a School Committee member, Town Moderator, Town Department Head, and the employee Personnel Board Rep. They discussed requiring non-disclosure agreements to ensure a confidential search process.

Members of the public were not included in the composition however public input will be solicited once two – three finalists have been made public.

They discussed the need for a rubric to assist with defining criteria for evaluation/ranking of candidates.

Rich Maiore recapped the overall goal for the search committee is to follow a hiring process that is transparent, fair and involves input from the public.

They named Police Chief James Babu as the Dept. head, Personnel Board Rep Liz Allard and Kara Minar & Don Ludwig as the Select Board reps. Members will reach out to the others for their commitment to serve.

They discussed a possible timeline of resumes due end of April and interviews in May.

McBee made a motion seconded by Minar to appoint a search committee of two Select Board members, a Finance Committee member as chosen by the Finance Committee, a School Committee member as chosen by the School Committee, Town Moderator, Town Department Head as chosen by the Select Board and the employee Personnel Board Rep. as chosen by the Select Board; Select Board reps. Don Ludwig and Kara Minar. By a roll call vote, McBee -aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously in favor of the motion.

Bromfield House lead paint remediation

Assistant Town Administrator Marie Sobalvarro reported the Invitation to Bid (IFB) for the lead remediation has been published with responses due back by April 10th. Rich Maiore asked what the options are for payment. Terry Symula from the neighborhood group assisting the families said there are earmark funds available from the state. She estimated around \$30,000. Other options may include free cash and/or a reserve fund transfer. Symula will find housing for the occupants while the remediation is being done. Discussion ensued on recent interior and exterior painting done at the property.

Bromfield House lease extension

Erin McBee stated with assent for the Bromfield Trustees the town will need to petition the court to extend the temporary use of the building. By a roll call vote, Minar – aye, McBee – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to petition the court to extend the lease until June 30, 2025.

Public Communication

Collen McFadden, Shaker Road, has professional experience with search firms and encouraged the Select Board to reconsider the value of hiring a firm to assist with the town administrator search.

Staff Report/Updates (Attachment A)

Municipal Affordable Housing Trust appointment

By a roll call vote, Minar – aye, McBee – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to appoint Bonnie Heudorfer to the Municipal Affordable Housing Trust.

Discuss use of clickers by elected officials at the Annual Town Meeting

Rich Maiore thanked the League of Women Voters for their donation to make this possible. He asked his fellow members if elected officials should vote by hand for accountability and transparency. This will be up to the Moderator.

One Stop grant letters

Town Administrator Tim Bragan explained this grant is being utilized for road safety improvements on Stow Road. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to authorize signature for the One Stop Grant.

Out of state travel request for Fire Chief Rick Sicard

Chief Sicard was invited by the Fire Chiefs Association of Ma to attend this year’s FDIC International Conference in Indianapolis on April 15-20. He said it is an excellent opportunity for professional development and all expenses are paid. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to the request.

Update Open Space Committee member composition

Rich Maiore reported on an oversight when the committee composition was revised last year. The conservation agent should be included as a non-voting member. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve Conservation Agent to the Open Space Committee as amended.

Annual Town Meeting Warrant

The board members decided on which member will speak to which article at the meeting on April 6th. By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve articles 1-3.

By a roll call vote, McBee – aye, Minar – aye, Ludwig – aye, Oliver – aye, Maiore – aye, the board voted unanimously to approve articles 5 – 26.

they did not vote on the article 4 for the Master Plan update. Members were unsure this was necessary.

The meeting was adjourned at 9:00pm.

Documents referenced;

Town Administrator memo – dated 3.18.2024

Town Counsel opinion on Bromfield House petition – dated 3.12.2024

Decree & Order of General Probate/Trust Petition – dated 6.29.2022

Dept Health & Human Services - Lead Paint violation – dated 3.5.2024

Bonnie Heudorfer vol form – dated 2.26.2024

Non-Stop Grant letters – dated 3.19.2024

Chief Sicard request – dated 3.8.2024

OSC updated – dated 3.19.2024



Select Board Minutes
Tuesday, April 2, 2024
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:

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

Town Department participants:

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

Additional participants:

4th of July Chair Chris Chalifoux

4th of July Committee draft instructions for the parade

Committee Chair Chris Chalifoux reviewed the document outline which includes everything from the parade route, rules, decorations/signs, safety, and a code of conduct section. Town Administrator Tim Bragan explained the version in the packet included language that was previously deemed by Town Counsel as unlawful. Chalifoux indicated the two-sign limit will also be removed. He explained the committee is working on an electronic document for parade participants to sign up that will include a review of the parade instructions. The Select Board decided to formalize the instructions at their next meeting.

Minutes

By a roll call vote, Minar – aye, Oliver – aye, Ludwig – aye, McBee – aye, the board voted unanimously to approve the minutes of 3/5, as presented.

Public Communication

Jason Cole, Warren Ave, drafted the citizens petition requesting the Select Board extend the lease of the Bromfield House. He appreciates recent efforts on ultimate disposition of the house however there has been much change since the last vote in 2021. He encouraged the Select Board to support efforts to allow the Afghan families to stay and pay their way while they get on their feet. Cole believes article 24 would benefit from Select Board support.

Meg Bagdonas, South Shaker Road, offered her perspective on the 4th of July parade code of conduct. She recalls during last year’s parade the League of Women Voters being asked to remove a sign. She cautioned censorship is a slippery slope.

Eve Wittenburg, Prospect Hill Road, asked the Select Board to think again about hiring a professional search committee to have the ability to consider a diverse applicant pool. She offered it be done in tandem with the process started thus far.

Brad Besse, Westcott Road, revisited the discussion by the Select Board members on the use of clickers at the Town Meeting by elected officials. He researched and learned 43 communities have open town meetings and use clickers exclusively. He supports the rights of all voters to have confidentiality.

Stephanie Opalka, League of Women Voters, commented on the 4th of July instructions document. She asked the final version remove the code of conduct and simply be parade instructions. She suggested the two-sign limit be removed as well.

Staff Report/Updates (Attachment A)

Vote on Citizens Petition at Town Meeting

To see if the Town will vote to request that the Select Board delay selling the parcel of land, with the building thereon, known and numbered as 39 Massachusetts Avenue, Harvard, Massachusetts and described in the deed dated June 2, 1982 and recorded with the Worcester District Registry of Deeds in Book 7501, Page 344 (“the Property”), and allow it to continue to be used as a residence for refugees, with utilities paid by tenants, in exchange for a monthly payment equal to the monthly cost of insurance for the Property and a fair and appropriate rent, for a period of at least five years, or pass any vote or votes in relation thereto

Oliver made a motion seconded by Minar to take no action on this warrant article. By a roll call vote McBee – aye, Oliver – aye, Ludwig - aye, Minar - aye, the Select Board voted unanimously in favor of the motion.

Energy Advisory Committee student appointment

By a roll call vote, Minar – aye, Ludwig – aye, Oliver – aye, McBee – aye, the Select Board voted unanimously to appoint Savannah Senykoff as a student member of the HEAC.

Discuss and vote on revised Town Administrator job description

Kara Minar proposed two additions to the job description:

- 1) Interface with MassDevelopment and other Town Administrators in Ayer and Shirley on matters regarding Devens
- 2) Supervises the Assistant Town Administrator/HR Director

Don Ludwig made a motion seconded by Kara Minar to submit changes to the personnel board. By a roll call vote, Ludwig - aye, Oliver – aye, Minar – aye, McBee – aye, the board voted unanimously in favor of the motion.

Recognize resignation of Ira Okene from the Council on Aging

A letter of thanks will be sent.

Water Supply Interconnection Agreement with Devens

Don Ludwig made a motion seconded by Kara Minar to approve the water connection agreement. By a roll call vote, Ludwig - aye, Oliver – aye, Minar – aye, McBee – aye, the board voted unanimously in favor of the motion.

Authorize funds for the Town-wide clean up

Charles Oliver made a motion seconded by Kara Minar to approve funds for the townwide clean up. By a roll call vote, Ludwig - aye, Oliver – aye, Minar – aye, McBee– aye, the board voted unanimously in favor of the motion.

Letter regarding the Governor's economic development bill

Don Ludwig made a motion seconded by Kara Minar to approve the letter with amendment to the Governor and Dept of Housing and Livable Communities. By a roll call vote, Ludwig - aye, Oliver – aye, Minar – aye, McBee – aye, the board voted unanimously in favor of the motion.

Issue the liquor license to 204 Lanes new owner

Charles Oliver made a motion seconded by Don Ludwig to issue license the on-premise wine/malt license to 204 Lanes. By a roll call vote, Ludwig - aye, Oliver – aye, Minar – aye, McBee – aye, the board voted unanimously in favor of the motion.

Select Board Reports

Erin McBee reported the Planning Board has rescinded their Master Plan request for the town meeting.

Kara Minar reported the Transportation Advisory Committee has voted to contact owner of the Sorrento's Plaza and St Theresa's about parking for the commuter rail shuttle.

Kara Minar reported the Climate Initiative Committee plans to support adoption of the expanded stretch code for the fall town meeting. This will increase grant funding for the town.

The board members thanked member Erin McBee for all her efforts over the years as her term comes to an end. She decided to not seek reelection.

The meeting was adjourned at 8:15pm.

Documents referenced:

4th of July Instructions – dated 4.2.2024
HEAC student appointment request – dated 2.13.2024
TA job description – dated 2.10.2018 w/additions
Okene resignation - dated 3.18.2024
Water Supply Agreement – dated 4.2.2024
Town-wide clean up request – dated 2.13.2024
Letter to the Governor – drafted 4.2.2024
ABCC approval – dated 3.28.2024

Mon 4/8/2024 2:19 PM

To:Julie Doucet <jdoucet@harvard-ma.gov>

Cc:Marie Sobalvarro <msobalvarro@harvard-ma.gov>

Hi Julie –

I have reviewed the revised Parade Instructions and Code of Conduct (the first attachment) and find that it is consistent with the law.

Thank You

Mark

July 4th Parade_Parade Participant Instructions, Rules and Code of Conduct

Please work with us to keep the parade as enjoyable as possible for everyone and to keep the parade true to its original intent to allow the entire town to participate in an event that celebrates our town, state and country.

GENERAL INSTRUCTIONS

PARADE ROUTE

The parade starts at Depot Road, proceeds down Ayer Road to Town Hall and along Mass Ave to the library.

PARADE DROP OFF

Participants on foot can be dropped off at Depot Road across from Hillside Garage and walk down Depot Road to join their organization. Parking is not allowed at the garage. Participants can also join from the other end of Depot Road, Under Pin Hill Road. Since participants will be lined up along Depot Road, cars will not be allowed to transit the road between Ayer Road the Transfer Station, due to safety concerns.

PARADE LINEUP

Participants can begin arriving at Depot Road at 9:30. They will be directed to their position in the parade by a volunteer. All participants should be in place by 10:45. The parade will be called to start at 11:00.

ANTIQUÉ CARS

Antique cars will be stationed at the Town Hall and will join the parade from there.

PROGRESSION

While the parade is in progress be mindful of the other participants in the parade. Keep moving at an appropriate speed to allow walkers to keep up.

Those wishing to dispense candy along the route please be aware of small children dashing out onto the roadway to grab the candy. Throwing candy gently or handing it to small children ensures that all are safe.

PARADE END

The parade ends at the library field. Participants can disperse at this point. Parents of children in the parade can pick up their children and proceed to the July 4th events area in front of the library.

RULES

DRIVERS

Operators of motor vehicle in the parade must have a valid operator's license and insurance.

CHILDREN

Parents/guardians are responsible for the safety of their children. Those walking in the parade must be under the supervision and direction of a responsible adult at all times. All entries in which children are to be a part are to be made by an adult, who assumes, by virtue of placing the entry, full responsibility for the safety and action of the children participating in their event.

DECORATIONS, SIGNS AND MUSIC

Parade entries may have decorations of any kind and size. This can include banners and signs.

If you plan to broadcast music (e.g., from a float) make sure the parade organizers are aware of this, so you can be positioned appropriately in the parade.

SAFETY

Parade participants will not engage in behavior that unreasonably endangers the safety of any person at the event. This includes riding or clinging to a vehicle or float in a manner likely to cause injury. Riders should have the ability to sit in a safe place on a vehicle or float, or hold on to a secure structure.

Alcoholic beverages are not allowed to be consumed at any time by parade participants during the parade.

Unmanned or manned drones or other flying devices are strictly prohibited during the parade.

CODE OF CONDUCT

The town of Harvard and the 4th of July Committee reserve the right to refuse an entry into the parade if they determine that the entry is unlawful. Entrants who are denied entry may appeal the decision to the Select Board and Town Administrator.

Participants are responsible for maintaining order and responding to any order by parade officials or law enforcement personnel relating to their entry. Failure to comply will result in the removal of the participants from the parade.

Parade entries agree to abide by all rules, instructions and decisions made by parade officials or law enforcement personnel. Failure to abide by rules, instructions and decisions are grounds for removal from the parade.

CANCELLATIONS

If you must cancel your entry, please alert Pam Marston at 508-331-2589.

WEATHER POLICY

This is a rain or shine event, except in the case of severe inclement weather. You will be notified via email, phone call or text, if necessary, in the event of a cancellation.

Check our website or Facebook for cancellations. Every effort will be made to hold the event except in the case of severe inclement weather.

**Town of Littleton Board of Water Commissioners
39 Ayer Road
P.O. Box
Littleton, MA 01460**

GRANT OF EASEMENT
Littleton Country Road, Harvard, MA 01451

TOWN OF HARVARD, a Massachusetts municipality duly established by law and acting by and through the Town of Harvard Select Board and having a principal place of business at 13 Ayer Road, Harvard, MA 01451 (“Grantor”), for consideration paid of One Dollar (\$1.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants to the **TOWN OF LITTLETON**, Massachusetts municipality duly established by law, acting by and through its Board of Water Commissioners, with offices at 39 Ayer Road, Littleton, MA 01460 (“Grantee”).

With Quitclaim Covenants,

The perpetual and non-exclusive right and easement to install, lay, maintain, repair, replace, add to, inspect, renew and operate an underground water supply system consisting of buried water pipes and mains together with all equipment and appurtenances thereto for the supply of water and all Grantee-owned items (hereinafter referred to as “GRANTEE’S WATER SUPPLY SYSTEM”) all located within any portion of the public way in Harvard, as set forth below.

Said GRANTEE’S WATER SUPPLY SYSTEM is to be located in, under and through any portion of the public way in Harvard being a portion of Littleton Country Road extending south from the Littleton Town Line to Beaver Brook Road in Boxborough.

And further, said GRANTEE’S WATER SUPPLY SYSTEM is approximately shown as shown on the plan set entitled “Town of Littleton, Massachusetts, Electric Light and Water Departments, Water Supply Main Extension Littleton / Boxborough DWSRF No. 12397”, dated October 2023, prepared by Weston & Sampson Engineers, Inc., a reduced copy is attached hereto as “Exhibit A”, copies of which are in the possession of the Grantor and Grantee herein, but the final definitive locations of said GRANTEE’S WATER SUPPLY SYSTEM shall become established by and upon the installation and laying thereof by the Grantee (“Easement Area”). Said EASEMENT AREA shall be the entire width and length of Littleton Country Road, including the width of any adjacent public sidewalks, extending south from the Town Line with Littleton to Beaver Brook Road at the Town Line with Boxborough.

Also with the further perpetual and non-exclusive right and easement from time to time without further payment therefore to pass and repass by foot, vehicle, and equipment over, across and upon said way of the Grantor as is reasonable and necessary in order to install, lay, maintain, repair, replace, add to, inspect, renew and operate said GRANTEE'S WATER SUPPLY SYSTEM and each and every part thereof and to perform such work, including but not limited to making such other excavation or excavations as may be reasonably necessary in the reasonable opinion and judgment of the Grantee, its successors and assigns, and to maintain the efficient, reliable, and safe operation and maintenance of GRANTEE'S WATER SUPPLY SYSTEM and other related water supply equipment or Grantee's access thereto.

Except in cases of emergency, prior to performing any work in said EASEMENT AREA, the Grantee shall give the Grantor at least fourteen (14) days prior written notice. Except in cases of emergency, the Grantor shall give the Grantee at least fourteen (14) days prior written notice if it intends to perform any subsurface work in the right of way.

The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for itself, its successors and assigns, that this Grant of Easement and the location of GRANTEE'S WATER SUPPLY SYSTEM may not be changed or modified without the written consent of the Grantor, its successors and assigns, which consent shall not be unreasonably withheld by the Grantor. Any relocation of such GRANTEE'S WATER SUPPLY SYSTEM shall be performed at the sole cost and expense of the requesting party.

It is agreed that GRANTEE'S WATER SUPPLY SYSTEM and all other improvements constructed or installed on said premises by Grantee shall remain the property of Grantee. Grantor agrees not to interfere unreasonably with the rights granted to Grantee hereunder or to cause utilities or other obstructions to be constructed or placed within, under or over the Easement Area that Grantee reasonably determines impairs the exercise of Grantee's rights hereunder, the safe or reliable operation of Grantee's facilities, the provision of water service, or access thereto, which shall be removed promptly by Grantor at its sole expense upon the request of Grantee.

Grantee agrees to promptly restore the surface of the way to substantially the same condition as said surface was in immediately prior to any excavation or excavations thereof; provided, that Grantee shall not be required to pave or repave the full width of the way.

The Grantee and its successors and assigns shall be responsible for maintaining and repairing GRANTEE'S WATER SUPPLY SYSTEM in said EASEMENT AREA and, to greatest extent permitted by law, agree to indemnify and hold Grantor and its successors and assigns harmless from and against any and all cost, expenses and liability for injury or damage to persons or property resulting from the Grantees' exercise of its rights created by this grant of easement; provided that the Grantor shall be responsible for the consequences of its own negligence, including damage to the GRANTEE'S WATER SUPPLY SYSTEM caused by the negligent actions of the Grantor.

All rights and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective, successors and assigns and legal representatives.

EXECUTED as a sealed instrument this _____ day of _____ 2024.

HARVARD SELECT BOARD

Signed: _____
Name: Richard D. Maiore, Chair

Signed: _____
Name: SusanMary Redinger

Signed: _____
Name: Don Ludwig, Clerk

Signed: _____
Name: Charles Oliver

Signed: _____
Name: Kara Minar

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ____ day of _____ 2024, before me, the undersigned notary public, personally appeared: Richard D. Maiore, SusanMary Redinger, Don Ludwig, Charles Oliver and Kara Minar who proved to me through satisfactory evidence of identification, which were _____, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose on behalf of the Town of Harvard located at 13 Ayer Road, Harvard, MA 01451.

Notary Public: _____

My Commission Expires:

Seal

LITTLETON BOARD OF WATER
COMMISSIONERS

Signed: _____
Name: Ivan Pagacik, Chair

Signed: _____
Name: Scott Larsen, Vice Chair

Signed: _____
Name: Dick Taylor, Secretary

Signed: _____
Name: Melissa Hebert

Signed: _____
Name: Joseph Knox

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

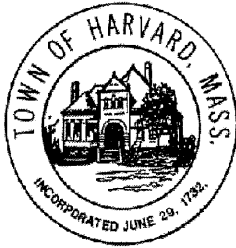
On this ____ day of _____ 2024, before me, the undersigned notary public, personally appeared: the Littleton Board of Water Commissioners who proved to me through satisfactory evidence of identification, which were _____, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose on behalf of the Town of Littleton located at 39 Ayer Road, Littleton, MA 01460.

Notary Public: _____

My Commission Expires:

Seal

EXHIBIT A - GRANTEE'S WATER SUPPLY SYSTEM



TOWN OF HARVARD

GENERAL LICENSE APPLICATION

Please check all boxes that apply:

- One Day Liquor License \$50.00
- Farmers Market License \$50.00
- Carry-In (BYOB) For Common Victualler \$100.00
- Common Victualler License \$50.00
- Entertainment License \$50.00
- Entertainment License With Carry-In (allows patrons to bring in beer and/or wine) \$100.00

Melynda Gallagher

June 01, 2024

Applicant

Date

Lost Shoe Brewing and Roasting Company

Business Name

DBA (if different)

19 Weed Street

508-479-8111

melynda@lostshoebrews.com

Street Address/PO Box

Telephone

Email

Marlborough

MA

01752

City/Town

State

Zip

The licensed premises, activity, or equipment shall be located at the following address:
(include what zoning district the business will be in)

58 Old Mill Road - Harvard Alpaca Ranch

This license is requested for the following expected hours of operation and days of the week.

Saturday 5-9PM

Describe activity in the space below details of the license you're applying for (include any floor plan, if necessary):

Summer Kick-off Dinner with the Alpacas at Harvard Alpaca Ranch. The event is capped at 40 guests. Tickets are \$75 and include food and alpaca tours. Guests have the option to purchase beer separately from Lost Shoe for on-site consumption. A TIPS certified bartender from Lost Shoe will be checking IDs and serving beer to those 21+.

Entertainment License Application
Pursuant to M.G.L. c. 140, §183A
(Only if you are applying for an entertainment license)

Please check all that apply:

Dancing: By Patrons _____ By Entertainers _____ No Dancing _____

Music: Recorded _____ Juke Box _____ Live Music _____

Amplification System _____ No Music _____

Shows: Theatre _____ Movies _____ Floor Show _____

Light Show _____ No Shows _____

Admission Charges: Yes _____ No _____

If yes, how much (or submit an admission schedule) _____

Other (Indicate Quantity): Televisions _____ Video Games _____ Pool/Billiard Tables _____

Does the facility have a sprinkler system? Yes _____ No _____

Please fully describe the proposed entertainment (Type, dates, hours of operation, indoors/outdoors, number of maximum patrons/attendees, etc. You may also submit a separate narrative to answer this question in deeper detail if more space is required):

In addition, please submit the required documentation as part of your application:

1. Floor Plan of the proposed licensed premises;
2. Proof of adequate liability insurance (including alcohol insurance for on-premises liquor licenses)
3. Proof of Worker's Compensation Insurance certificate;
4. Adequate TIPS certified documentation only for proposed Manager of on-premises liquor licenses).

I certify under pains of perjury that I, to the best knowledge and belief, have filed all state tax returns and paid all state taxes required under law, and that all the information in this application are to the best of my knowledge true and correct.

eSigned via SeamlessDocs.com
Melinda Gallagher

04-01-2024

Signature

Date

Congratulations!

You have successfully completed the ServSafe® Training and Certificate Program. This is your official ServSafe Alcohol Certificate Card and provides confirmation that you have studied, and are knowledgeable about, how to serve alcohol responsibly.

Thank you for participating in the ServSafe Alcohol program. Responsible alcohol service begins with the choices you make, and ServSafe Alcohol training will help you make the right decision when the moment arises.

By completing the ServSafe Alcohol program, you show your dedication to safe and responsible alcohol service. The ServSafe Alcohol program and the National Restaurant Association are dedicated to helping you continue to raise the bar on alcohol safety.

To learn more about our full suite of responsible alcohol service training products, contact your State Restaurant Association, your distributor or visit us at ServSafe.com.

We value your dedication to responsible alcohol service and applaud you for making the commitment to keep your operation, your customers and your community safe.

Sincerely,



Sherman Brown

Executive Vice President, National Restaurant Association Solutions



ID # 15759317

CARD # 20759076

ServSafe Alcohol® CERTIFICATE

MELYNDA GALLAGHER

NAME

7/6/2021

DATE OF EXAMINATION

Card expires three years from the date of examination. Local laws apply.



NOTE: You can access your score and certification information anytime at ServSafe.com.

If you have any questions regarding your certification please contact the National Restaurant Association Service Center at ServiceCenter@restaurant.org or **800.765.2122, ext. 6703**

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Sherman Brown
Executive Vice President, National Restaurant Association Solutions

This certificate confirms completion of the ServSafe Alcohol® responsible alcohol service program.

In Alaska you must laminate your card for it to be valid.

NATIONAL
RESTAURANT
ASSOCIATION

233 South Wacker Drive
Suite 3600
Chicago, IL 60606-6383
1-800-SERVSAFE
312-715-1010 In the Chicago area
ServSafe.com

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One-Day Special Liquor License

Policy-process-checklist

Select Board Polices/Procedures

- 1) The Town of Harvard, the local licensing authority, is permitted to issue a license to the responsible manager of any indoor or outdoor activity or enterprise. This type of license may be issued only to a natural person, although this natural person may be a person acting on behalf of a corporation, partnership, or other entity.
- 2) No person may be granted such licenses permitting sales on an aggregate of more than 30 days in any calendar year.
- 3) Special License for Sale of All Alcoholic Beverages (including wine and/or malt) may be issued only to a person acting on behalf of a non-profit organization.
- 4) Special License for Sale of Wine and/or Malt Beverages, or both, may be issued to any person who is conducting an activity or enterprise for profit.
- 5) Municipal entities requesting a Special License will not be assessed a fee or required to hold a hearing.
- 6) One-Day Liquor License requests will require a hearing. If an event is held annually with no issues subsequent hearings will not be required. Recurring events will require selectmen approval at a regular meeting.

Process

- 1) The applicant submits the required forms and check to the Office of the Town Administrator.
- 2) The initial request requires a public hearing. Legal notice must run in the local newspaper and abutters must be notified. If an event is held annually with no issues subsequent hearings are not required.
- 3) The Board of Selectmen will approve or disapprove the application at the hearing.
- 4) If approved, the Board of Selectmen will notify the ABCC.
- 5) If disapproved, the Board of Selectmen will notify the applicant in writing within five days of the denial including the reasons for the denial.

Checklist

- General License Application**
- \$50 check** made out to the Town of Harvard
- TIPS certification documentation if applicable
- Certificate of Insurance (liability and workers comp. if applicable)
Public events with alcohol require a certificate of insurance naming Harvard as additional insured with limits of \$1,000,000 occurrence/\$2,000,000 general aggregate with liquor liability coverage

A special license may be issued for the sale of wines and/or malt beverages to any enterprise however, special licenses for the sale of all alcoholic beverages may be issued to non-profit organizations only.

new voting machine approval

Rose Miranda <rmiranda@harvard-ma.gov>

Wed 4/24/2024 12:16 PM

To: Julie Doucet <jdoucet@harvard-ma.gov>

Hi Julie,

This is a sample of what the Select Board needs to vote on for the new machines. Then I need to send a letter to the State so we can order the machines. The deadline is May 3rd 2024 to send into the state.

Vote to accept/certify the new ImageCast Precinct Tabulators (ICP Tabulator) and to discontinue/ decertify the DS200 Tabulators for the use of elections in the Town of Harvard.

At the _____ Select Board meeting, it was voted to accept the LHS ImageCast Precinct Tabulator (ICP Tabulator) for use in all future local, State and Federal Preliminaries, primaries, and general elections held in the Town of Harvard. Included in that same vote was the discontinuance of the DS200 Tabulators for use of elections in the Town of Harvard.

The actual vote taken by the Select Board follows:

Mr. Maiore moved that the Board vote to accept the Image Cast Precinct Tabulators (ICP Tabulator) for use at all future local, State and Federal Preliminaries, primaries, and general elections held in the Town of Harvard and discontinue use of the DS200 Tabulator. _____ seconded. VOTE: ____:____

Thank you Julie, If you need anything else, please let me know. 😊

Rose M. Miranda, CMC
Town Clerk

Justice of the Peace
Commissioner to Qualify

Town of Harvard
13 Ayer Road
Harvard, MA 01451
Phone: 978-456-4100, Ext. 316
rmiranda@harvard-ma.gov

Office Hours: Monday through Thursday 8:00 am to 4:30 pm

