



Posted 8/26/2021 at 5:00pm by JAD

SELECT BOARD

AGENDA

Tuesday, August 31, 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: Select Board

Time: Aug 31, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting:

<https://us02web.zoom.us/j/84387359591?pwd=OWFFWm1ZQ05lZDZXVlFhTlJpeHFDdz09>

Meeting ID: 843 8735 9591

Passcode: 738921

Find your local number: <https://us02web.zoom.us/j/kdFJKQ6MoX>

Dial by your location

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+19294362866,,12390012# US (New York)

Agenda Items

- 1) Liquor License Hearing: Stony Brook Market (7:00)
- 2) Liquor License Hearing: Carlson Orchards (7:20)
- 3) Public Communication (7:40)
- 4) Traffic plan for Carlson Orchards (7:45)
- 5) Approve minutes 8/10 (7:55)
- 6) Staff Report/Updates (8:00)
- 7) Action/Discussion items: (8:15)
 - a) Act on use of ARPA funds for water problem
 - b) Act on October 16th Town Meeting location/time
 - c) Discuss non-binding referendum question
 - d) Appoint Election Officials
 - e) Appoint PB Reps: Brian Cook/Open Space Committee & Robert Cabelus/Har Dev Jurisdiction Committee
 - f) Appoint Bruce Leicher as Harvard designee on the MBTA Advisory Board
 - g) HEAC request to amend appointments: Paul Green/associate and Peter Kelley-Joseph/full member
 - h) Act on climate resolution
 - i) Act on request from Fivesparks to block parking area in front of building for reopening event 9/12
 - j) Discuss and act on recommendation for potential Council on Aging location
 - k) Discuss traffic concerns related to speeding
- 8) Select Board Reports/Review of Goals
- 9) **Executive Session, per MGL Ch. 30A, s. 21(a)2 & 3:** To conduct strategy sessions in preparation for negotiations with nonunion personnel and to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. The Select Board will reconvene into open session only to adjourn.

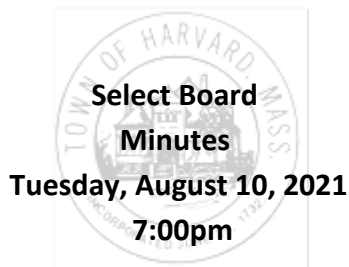
Next Regular Select Board Meeting

Tuesday, September 14, 2021

7:00pm

All times are approximate besides scheduled public hearings.





Select Board

Minutes

Tuesday, August 10, 2021

7:00pm

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency and signed into law on June 16, 2021, this meeting was conducted via remote participation.

Select Board members present:

Stu Sklar, Alice von Loesecke, Kara Minar, Erin McBee, Rich Maiore

Town Department attendees:

Assistant Town Administrator/HR Director Marie Sobalvarro,

Additional participants:

Park & Rec Chair Bob O'Shea, HEAC member Paul Green, CRWG members Ellen Leicher & Lucy Wallace

All Boards Meeting

Select Board members agreed to hold the fall All Boards meeting on Tuesday, September 21st via Zoom. Each board/committee has been asked to forward their top three goals for the coming year to the Town Administration office by September 8th. This will allow staff to compile the items for distribution to the board members prior to the meeting. Assistant Town Administrator Marie Sobalvarro is preparing a memo to be sent to all boards/committees and department heads.

Sent July 19 goals liaisons sent and posted on website.

Minutes

By a roll call vote, Maiore – aye, McBee – aye, Minar – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously to approve minutes of 6/22, 7/13 & 7/19, as presented.

Public Communication

Bob O'Shea, Park & Recreation Commission Chair, spoke about issues the commission is having with ballfield maintenance and parking at the beach. He said the commission is asking to collaborate with the Select Board to brainstorm ideas on how these issues could be resolved. SB Chair Stu Sklar offered to speak with O'Shea about this and suggested it be an agenda item for the August 31st meeting.

Lucy Wallace, , announced the Congregational Church is holding a food drive on Saturday, August 21st from 10am-1pm for Loaves and Fishes.

Erin McBee announced blood donations are in high need for our area. The Worcester blood bank or Red Cross are potential sites to visit for more information on how to do this.

Staff Report/Updates

Sobalvarro reported on the items included in Attachment A.

Vaccination rates in Harvard

Sklar explained the Board of Health revised the state numbers removing the prison population that was included. The board was pleased with the high percentage of the Harvard population that has been vaccinated.

Town of Harvard Vaccination Rates based on : Population as of July 15, 2021, Vaccination data as of July 22, 2021						
Age Group	Population	Fully Vaccinated	Partially Vaccinated	% Fully Vaccinated	% Partially Vaccinated	% Total and Partially Vaccinated
0-4 years	120	N/A	N/A	N/A	N/A	N/A
5-11 years	371	N/A	N/A	N/A	N/A	N/A
12-15 years	284	214	0	75%	0%	75%
16-19 years	333	282	40	85%	12%	97%
20-29 years	705	395	50	56%	7%	63%
30-49 years	1058	829	56	78%	5%	84%
50-64 years	1370	1195	86	87%	6%	94%
65-74 years	775	640	0	83%	0%	83%
75+ years	500	360	0	72%	0%	72%
Total Vaccine Eligible 12-75+ years	5025	3915	232	78%	5%	83%
Total	5516					

Town-Wide Speed Limits/Traffic Calming Measures

Kara Minar explained in 2017 Massachusetts revised Chapter 90 Section 17C to permit local authorities in cities/towns the ability to set speed limits on municipal owned roadways town-wide. She worked with Erin McBee and other town employees to gather the data. She reported more than 38 cities/towns in MA have adopted town-wide speed limits for various reasons such as improving property values and pedestrian safety. They learned the majority of cities/towns who opted to do this set a town-wide speed limit with the average speed of 30mph. The board members support efforts to resolve the speed issue on town roadways. They decided a variable speed limit is the more practical approach considering traffic conditions on differing roadways. Minar and McBee will work with Sergeant James Babu on this and report back with a recommendation.

Town Cell Tower Review

Sklar thanked Sobalvarro for her work with Isotrope to finalize a proposal for consideration.

Sobalvarro reviewed the scope of work items included in the proposal:

- Review existing locations
- Prepare an existing coverage map
- Identify town parcels on GIS
- Provide coverage models from potential candidates, including the Bolton Road water tank site and evaluate how they would integrate with existing coverage (consider variables such as location on site and tower heights),
- Provide written report
- Meet with staff/committee/public to present findings and discuss options

The cost for this work will be \$9,450. Sobalvarro will request the project be completed by the end of November.

By a roll call vote, Maiore – aye, von Loesecke – aye, McBee – aye, Minar –aye, Sklar – aye, the board voted unanimously to approve Isotrope proposal with amendment to include the entire town.

Bromfield House

Harvard Park (possible vision for future use of the property)

Park & Recreation Commission Chair Bob O'Shea said he was approached about possible needs the commission may have for this location in the town center. O'Shea explained he came up with the Harvard Park concept from this question along with recent efforts before the commission for a pump track in town. He recalls the skateboard park discussions a few years back and thought maybe something similar to this concept could work. He noted the Leominster has skateboard equipment for free that could be utilized. O'Shea added in tennis/pickle ball courts as another additional recreation residents may enjoy. He reiterated it was just a concept and the commission needs to continue talks with the residents interested in the pump track as far as maintenance and/or the lease of the land. He included walking trails, natural borders and a dedication plaque to acknowledge the gift to the town. The board members appreciated O'Shea's efforts. The conversation evolved into the land swap idea between Park & Rec and the Conservation Commission. O'Shea said the commission met in closed about this and have some ideas. Everyone agreed all potential locations in town for additional recreation should be considered. O'Shea admitted waiting until next spring is likely too long as he expects the pump track to be finalized sooner than that. Alice von Loesecke noted the Bromfield House was donated for educational purposes therefore school sports would qualify but additional forms of recreation may not.

Climate Resiliency Working Group (CRWG) resolution

Sklar explained the CRWG and the Energy Advisory Committee (HEAC) have been working on this together. Other communities have adopted something similar at their Annual Town Meeting. This item is on the agenda for initial review and feedback. HEAC member Paul Green said the resolution is basically the goals that have been set by the state. Everyone agreed this is an important statement for the voters and citizens of Harvard to make. CRWG/HEAC member Ellen Leicher added how critical it is to address environmental impacts in all of our decisions and policies moving forward. Green emphasized how important it is we all do what we can to help reduce and mitigate greenhouse gas emissions.

The board members expressed their gratitude for the continual important work being done by the HEAC help the environment and the town with their success attaining grant funding.

Select Board Reports

Stu Sklar thanked the Garden Club for their efforts to help maintain the beauty of the Town Hall landscaping.

Stu and Alice von Loesecke commented on the recent fatality of a Harvard resident on Still River Road. They extended a heartfelt thank you to all the Fire Fighters and Police Officers who were on scene as they all did a fabulous job.

By a roll call vote, Maiore – aye, Sklar – aye, Minar – aye, McBee – aye, von Loesecke – aye, the board voted unanimously to enter into executive session at 8:40pm as per MGL 30A Sec. 21.2, to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. The Board will reconvene into open session only to adjourn

The meeting was adjourned at 9:05pm.

Documents referenced:

Vaccination letter from BoH – dated 7.30.2021

Bromfield Park proposal – dated 6.26.2021

Isotrope proposal – dated 7.13,2021

Draft climate/environmental resolution – dated 8.10.2021

H-1776-007
August 19, 2021

Timothy B. Kilhart, DPW Director
Harvard Public Works Department
47 Depot Road
Harvard, MA 01451

Re: **Engineering Services for Pond Road Wells Chlorination System**

Dear Mr. Kilhart:

Tighe & Bond is pleased to submit this proposal to the Town of Harvard (Town) for engineering services related to chlorination of Harvard's drinking water. As you are aware, MassDEP is requiring the Town to submit a Interim Corrective Action Plan for implementation of emergency 4-log treatment for Well 2 by August 28, 2021. The Town is also required to submit a Long-Term Corrective Action Plan and schedule to MassDEP by November 25, 2021. The long-term plan will include plans for construction of a new water treatment facility that was initially recommended in our evaluation report provided to the Town on July 28, 2020.

Our proposed interim plan includes replacing the existing 4-inch water main (approximately 560 linear feet) with new 8-inch ductile iron wain from the Pond Road Wells to the first hydrant near the intersection of Whitman Road. This new water main will be designed to meet CT requirements to ensure 4-log compliance will be achieved prior to the first customer. We recommend proceeding with this work immediately so that construction of the water main can be completed this fall.

Our proposal includes a Scope of Work for the following initial tasks:

- Developing Interim and Long-Term Corrective Action Plans
- Regulatory Support
- Water Main Design Services
- Permitting Assistance
- Public Bidding Services

Scope of Work

Task 1 – Interim and Long-Term Corrective Action Plans

Tighe & Bond will assist the Town in developing and submitting the Interim and Long-Term Corrective Action Plans to MassDEP by the required deadlines. This task includes:

- Coordination with Town staff and MassDEP to develop the interim and long-term treatment options
- Complete a site walk with Town staff to gather input on proposed interim and long-term treatment
- Development of written draft Interim Corrective Action Plans and supplemental GIS figures showing the proposed water main replacement included in the Interim Corrective Action Plan.
- Incorporate all comments received from the Town and submit Interim Corrective Action Plan to MassDEP for review and approval.

- Preparation and submission of Groundwater Rule Form A that provides documentation of 4-log compliance for the Pond Road Wells.
- Develop conceptual floor plan for new water treatment facility that will include space provisions for chlorination, water softening, and PFAS treatment equipment.
- Meet with Town to review conceptual plan and address any comments.
- Prepare draft Long Term Corrective Action Plan and provide to the Town for review and comments.
- Incorporate any comments received and submit Long Term Corrective Action Plan to MassDEP for approval.

Task 2 – Regulatory Support

2.1 Wetlands Delineation

Tighe & Bond wetland scientists will field-delineate wetland resource areas located within the pre-identified limits of survey. This delineation will be completed in accordance with methodologies outlined in Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act (March, 1995), the Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1 (January, 1987), the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0, January, 2012), and local bylaws. Sequentially numbered flags will be placed along the resource area boundaries to demarcate jurisdictional limits. Delineation Field Data Forms will be completed for each vegetated wetland identified. Wetland resource area boundaries will be located using a handheld Global Positioning System (GPS) device capable of sub-meter accuracy. The GPS-located boundaries will be depicted on project drawing.

During the field work, the wetland scientist will collect data regarding vegetation, soils, and other indicators of wetland hydrology at a level of detail sufficient to support the completion pertinent regulatory forms for future permitting efforts.

2.2 Request for Determination

Tighe & Bond will prepare a Request for Determination (RDA) application for submittal to the Harvard Conservation Commission. The RDA submission will be completed in accordance with the Harvard Wetlands Protection Bylaw Regulations (Chapter 147) for the installation of underground utilities in 100-foot buffer zone. Based on the current understanding of the project the work would be exemption from the Massachusetts Wetland Protection Act (MAWPA, M.G.L. c. 131 § 40) and its implementing regulations (310 CMR 10.00), as underground utility installation in roadway. A joint MAWPA and Bylaw RDA can be submitted if it is determined during the design process that the MAWPA exemption is not fully applicable. The RDA will include the application form, the project plans, and a description of the proposed project. This scope anticipates attendance at one public hearing of the Commission to present the application.

Task 3 – Water Main Design Services

3.1 Design Kickoff Meeting

A project meeting will be held to review the base mapping and existing conditions and discuss project details and water main alignment.

3.2 Submit 75% Design and Conduct Progress Meeting

Complete and submit design drawings, Project Manual, and the OPCC to the Town at 75% Design. It is anticipated that approximately 6 design drawings shall be developed for this task including the following plan types:

- Cover, Legend, and Notes
- Water Main Plans
- Construction Details
- Traffic Control Plan

We will provide two sets of design drawings for the Town's review. We will conduct a progress meeting with the Town and other impacted Town Departments to solicit feedback and review comments. We will prepare summary notes of the meeting and distribute to all attendees.

3.3 Submit 100% Design Documents

Tighe & Bond will revise the drawings and specifications to incorporate comments received from the 75% Design submittal and submit stamped "bid ready" documents. Tighe & Bond will print and deliver two sets of contract drawings and a copy of the contract manual to the Town. Tighe & Bond will also provide electronic copies of the bid documents.

Task 4 – Water Main Bidding Services

Tighe & Bond will assist the Town in obtaining bids for the Pond Road Water Main Replacement Project that complies with State public procurement requirements with the following services:

- Provide the Town with two (2) sets of final bidding documents including the design drawings and Project Manual. Tighe & Bond will utilize its "Projects out to Bid" website to electronically distribute bidding documents to all prospective bidders.
- We will assist the Town with advertising the project for public bidding. Tighe & Bond will place the advertisement in the Central Register and provide the Town with the advertisement to be placed in the local newspaper. The Town is responsible for placing the bid advertisement in COMMBUYS.
- We will respond to bidders' Request for Information (RFI) on the bidding documents submitted during the bidding period. We have assumed responding to four (4) RFIs during this bidding period.
- We will develop and issue addenda as required to address any questions or clarifications that may require a response. Addenda will be provided to all bidders registered on the Tighe & Bond bidding website. Bidders will be notified via email of any addenda issued on the project. We have assumed that two (2) addendum will be issued during the bidding project.
- Tighe & Bond will attend the bid opening for the General Contractors and will assist the Town with receiving and opening all bids.
- We will review all bids received and confirm conformance with the bidding documents. Tighe & Bond will also conduct reference checks as required on the General Contractor. Based upon our review, we will provide the Town with a letter recommending award of the water main construction contract to the lowest, responsible, and eligible bidder.

Exclusions

Our proposal does not include the following services and/or fees. If any of these services are required, we can provide the Town with a proposal for the additional services.

- Design and permitting services of water treatment facility for Long-Term Corrective Action Plan. We will provide the Town with a proposal for these services once a conceptual plan has been developed and accepted by the Town and MassDEP.
- Construction Services – We will provide an amendment request for these services prior to the start of construction
- Police Details – It is our understanding that the Town will pay for uniformed police details if required to assist Tighe & Bond with any field work performed by Tighe & Bond or its subcontractors
- Permit and Advertising Fees – The Town will pay for any fees required for the permitting and bidding phases of work
- Advertisement in COMMBUYS

Schedule

Tighe & Bond is available to begin work immediately on this project. We will complete and submit the Interim Action Plan to MassDEP by Friday, August 27th. We will complete the design and bidding services for the Pond Road Water Main Replacement within thirty days of receipt of authorization.

Fee

Tighe & Bond will perform Tasks 1 – 4 for a lump sum fee of **\$36,000** invoiced monthly based on percentage complete. In the event that the scope of work is further increased for any reason, the lump sum fee to complete the work shall be mutually revised by written amendment.

For informational purposes, the following provides the anticipated break out of this proposal. The summary is presented to provide the Town with a better understanding of how the fee budget was developed. Invoices will be submitted based on the total project fee and not individual line item budgets.

Fee Summary

<u>Task</u>	<u>Description</u>	<u>Budget</u>
1	Interim and Long Term Action Plans	\$9,000
2	Regulatory Support	\$7,500
3	Water Main Design Services	\$13,500
4	Water Main Bidding Services	\$6,000
TOTAL FEE		\$36,000

The included schedule and fees are based on the above scope of work and assumptions. The schedule includes reasonable allowances for review and approval times by applicable parties. This schedule may need to be adjusted as the project progresses, allowing for changes in scope, character or size of the project requested by you, or for delays or other causes beyond our reasonable control, including delays due to Force Majeure, including those delays that may incur due to the COVID-19 pandemic.

Thank you for the opportunity to provide this proposal. We look forward to assisting the Town of Harvard on this important project. If this proposal is acceptable, please sign and return one copy as authorization to proceed.

Should you have any questions regarding this proposal, please do not hesitate to contact me at (508) 471-9607 or tjmahanna@tighebond.com.

Very truly yours,

TIGHE & BOND, INC.



Thomas J. Mahanna, PE
Vice President

Enclosures: Terms & Conditions

Acceptance:

On behalf of the Town of Harvard (OWNER), the scope, fee, and terms of this proposal are hereby accepted for: Tasks 1-4 (\$36,000)

Timothy Bragan, Town Administrator

Date

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Proposed Harvard Democrat Election Officials for appointment in 2021/2022

Party	Last Name	First Name
D	Alpert	Abbe
D	Bagdonas	Meg
D	Ball	Audrey
D	Blackwell	Sydney
D	Bradley	Dennis
D	Helhowski	Joanne
D	Kaegebein	Debbie
D	Kemp	Barbara
D	Lucey	Kate
D	Schmidt	Joe
D	Sevigny	Marc

Proposed Harvard Republican Election Officials for appointment in 2021/2022

Party	Last Name	First Name
R	Cronin	Nancy
R	Cronin	Steven
R	DeZutter	James
R	Jarvis	Mary
R	Maiore	Frances
R	Wilhelm	Janet

Proposed Harvard Unenrolled Election Officials for appointment in 2021/2022

Party	Last Name	First Name
U	Barber	Duane
U	Browse	Cary
U	Chernoff	Anton
U	Chernoff	Peggy
U	Dagdikian	Lisa
U	Holcomb	Susan
U	Nigzus	Steve
U	Reedich	Susan

OFFICE OF THE
PLANNING BOARD

13 AYER ROAD HARVARD, MA 01451

978-456-4100

www.harvard.ma-gov



PLANNING BOARD APPOINTMENTS 2021

Montachusett Regional Planning Commission – Stacia Donahue

Montachusett Joint Transportation Committee – Stacia Donahue

Community Preservation Committee – Doug Thornton

Historic Commission Nominee (see Chapter 48-4) – Richard Cabelus (expires 6/30/2023)

Design Review Board – Justin Brown

Community Resiliency Working Group – Jefferson Burson

Harvard/Devens Jurisdiction Committee – Richard Cabelus

Open Space Committee – Brian Cook

Transportation Advisory Committee- Stacia Donahue

- **Nashoba Regional Greenways** – Bruce Leicher

Master Plan Implementation:

- Water & Sewer Commission - Cabelus
- Conservation Commission – Cook
- Community Preservation Commission – Thornton
- Municipal Affordable Housing Trust - Thornton
- Energy Advisory Committee - Burson
- Select Board - Brown
- Bare Hill Pond Watershed Management Committee – Cook
- Board of Health - Thornton
- Park & Recreation Committee – Donahue
- Department of Public Works - Cabelus
- Historic Commission – Cabelus



July 23, 2021

Chairperson Alice Von Loesecke
Select Board Chair
Town of Harvard
13 Ayer Road
Harvard MA, 01451

Dear Chairperson Loesecke:

The MBTA Advisory Board is authorized by and organized under M.G.L. c. 161A, § 7A. This legislation names the Chief Executive Officer (CEO) of the 176 cities and towns in the MBTA Service District as a member of the MBTA Advisory Board. Members are also authorized to appoint a designee to act for them, with full voting rights on behalf of their city or town.

Our records indicate that Chairperson Alice Von Loesecke is the CEO of the Town of Harvard, and that the authorized designee position is vacant.

Please submit a letter on municipal letterhead confirming that the above is accurate or to correct our records. More information is available at <https://mbtaadvisoryboard.org>. Thank you for your attention to this matter.

Sincerely,

/s/

Brian Kane
Executive Director
617-680-9144 (cell)

To see if the Town of Harvard recognizes the local impacts of climate change and chooses to address these impacts by adopting the following resolution:

BACKGROUND AND PURPOSE

The Commonwealth of Massachusetts has a legally binding statewide requirement of an 80% reduction in greenhouse gas emissions from 1990 levels by 2050;

The local impacts of climate change are presently evident and are expected to increase in intensity from more severe storm events, increasing heat and drought, increasing pestilence and disease, increasing impacts to water and soil resources, and increasing impacts to native natural and agricultural flora and fauna, resulting in damage to public and private lands and ecosystems in Harvard, and harming the health and welfare of its residents;

Harvard is dependent on greenhouse gas emitting fossil fuels for mobility, heating and cooling, and other basic needs but the availability of energy from renewable sources is growing and becoming more cost effective;

Harvard recognizes that actions taken to address climate change will also benefit our natural resources, be positive for public health, support our quality of life and assure our community's vibrancy well into the future.

NOW BE IT RESOLVED,

1 - Harvard affirms its support for the greenhouse gas reduction goals established by the Commonwealth of Massachusetts and for any subsequently adopted modifications of those goals, and affirms its willingness to change its practices, policies, and procedures in support of achieving the goals established by the Commonwealth in order to mitigate the impacts of climate change;

2 - Harvard commits to evaluating and mitigating the potential negative impacts of climate change associated with all purchases, public projects, planning processes, and policies;

3 - Harvard commits to developing and requiring an environmental assessment process to review all purchases, public projects, planning processes and policies and to make this information readily available to town residents specifically on warrants requiring citizen approval; and

4 - Harvard commits to addressing climate resiliency and adaptation by coordinating the work of Town boards, committees, commissions, and other entities to plan together how to respond to the threats climate change may have on the built environment, natural resources, and the health of its residents.

To implement the above, the Harvard Select Board will establish the means by which this resolution will be achieved and will provide an update to the town on its progress towards establishing the infrastructure in which to accomplish this resolution within one year of its passage. Thereafter reports will be made annually at Town Meeting on the progress the Town has made in regards to this resolution.