



**SELECT BOARD
AGENDA**

**Tuesday, May 4, 2021
7:00pm**

The Select Board Regular Meeting is being held virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A. S.20. 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 Meeting

Time: May 4, 2021 07:00 PM Eastern Time (US and Canada)

Meeting ID: 812 4364 3097

Passcode: 310243

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Agenda Items

- 1) Vote to opt out of mosquito spraying (including aerial or other mosquito control spraying) conducted by the SRMCB. This Public Hearing is on Harvard's Mosquito Management Plan. (7:00)
- 2) Act on Agricultural Preservation Restriction (APR) for the Community Harvard Property located on Prospect Hill Road (7:15)
- 3) Public Communication (7:25)
- 4) Approve minutes 4/20 (7:30)
- 5) Staff Report/Updates (7:35)
- 6) Action/Discussion items: (7:45)
 - a) Discuss resin cost adjustment for Transfer Station bags
 - b) Act on request to install a Little Library in the town right of way
 - c) Vote position on Annual Town Meeting articles and make article assignments
- 7) Select Board Reports
- 8) **Executive Session as per MGL 30A Sec. 21.3** to discuss strategy with respect to collective bargaining or litigation if an open an open meeting will have a detrimental effect on the government's bargaining or litigating position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel. The Board will reconvene into open session only to adjourn.

*Next Regular Select Board Meeting
Tuesday, May 18, 2021
7:00pm*

INTRODUCTION

- Pursuant to M.G.L. Chapter 252, Section 2A, municipalities may opt out of spraying, including aerial or other mosquito control spraying, conducted by the State Reclamation and Mosquito Control Board (“SRMCB”). To opt out of any spraying conducted by the SRMCB, a municipality must have an alternative mosquito management plan (“Plan”) approved by the Executive Office of Energy and Environmental Affairs (“EEA”).
- Approval of a Plan allows a municipality to opt out of spraying (including both aerial or wide-area) conducted by the SRMCB under M.G.L. c. 252, Section 2A. It does not extend to any spraying conducted by a mosquito control project or district (“MCD”) of which a municipality may be a member. Any questions related to services provided by an MCD should be directed to its attention.
- A Plan must be approved in order for the SRMCB to recognize any municipality’s request to opt out of spraying.
- This process applies only to municipalities. Any other requests to opt out of spraying or exclude private property must be made in accordance with M.G.L. c. 252 or 333 CMR 13.00. More information on these options is available on the SRMCB website at <https://www.mass.gov/how-to/how-to-request-an-exclusion-or-opt-out-from-wide-area-pesticide-applications>.
- A Plan shall be effective from the date of approval through December 31st of the year in which it was approved.

PROCESS

The following steps must be completed prior to submitting a Plan to EEA for its review:

1. The municipality must hold a meeting of the City Council or Select Board, at which a vote must be taken indicating the municipality’s intention to opt out of spraying (including aerial or other mosquito control spraying) conducted by the SRMCB.
 - a. This meeting should include input on the Plan from the local board of health and allow for public comment.
 - b. The vote should include the following:
 - i. The date and time of the public meeting
 - ii. That the board of health was consulted;
 - iii. That public comment was allowed;
 - iv. Whether the municipality is opting out of all spraying or only certain spray activities, such as aerial spraying. If a vote does not include that it is for a specific type of spraying, the vote will cover all spray activities conducted by the SRMCB under M.G.L. c. 252, Section 2A; and
 - v. That the vote to opt out will only be honored if **an alternative mosquito management plan** is submitted and approved by EEA.
2. The municipality must include a copy of the certified vote must be included as part of the application for approval of a Plan.
3. The municipality must complete this application for approval of a Plan and submit it to EEA at the following address: EEAopt-out@mass.gov
4. All applications must be received **by May 15th** of the year for which the request is being made.

CONTACT INFORMATION

Please provide contact information for your municipality:

- Town/City:
- County:
- If your municipality is currently a member of a Mosquito Control District or Project, please enter the Project/District Name:
- Point of contact:
 - Name: Title:
 - Email: Phone:
- **A copy of the certified vote** (must be submitted along with this application)

Is the person responsible for overseeing the work outlined in this plan different than the point of contact above? Yes No

If yes, please enter their information below:

- Point of contact:
 - Name: Title:
 - Email: Phone:

MOSQUITO CONTROL SERVICES

Who is providing services? Check all that apply:

- MCD (If this box is checked, skip to the **MOSQUITO HABITAT** section on page 6)
- Contractor
 - Contractor name and contact information, if available:
 - Number of staff to be provided: Full-time: Part-time: Contract:
- Municipal Staff
 - Number of staff to be provided: Full-time: Part-time: Contract:
 - Description of staff roles, licenses held to perform work, etc.

SERVICES TO BE PROVIDED

Check off all that apply:

- Education, Outreach & Public education (REQUIRED)
- Source reduction (tire removals)
- Water Management/Ditch maintenance
- Larval mosquito control
- Larval mosquito surveillance
- Adult mosquito control
- Adult mosquito surveillance (species ID and populations counts only)

- Adult mosquito arbovirus testing (For EEE, WNV, etc.)**
- Research**
- Other (please list):**

Comments:

EQUIPMENT

Equipment needed for mosquito management, to be provided by contractor or in-house (if any):

- Modified wetland equipment (Number: and type:)
- Larval control equipment (Number: and type:)
- ULV sprayers (Number: and type:)
- Vehicles (Number:)
- Other (please describe):

SOURCE REDUCTION

If you plan to conduct tire removals or other methods of source reduction, please fill out the section below.

Please describe your program:

What time frame during the year will this method be employed?

Comments:

WATER MANAGEMENT/DITCH MAINTENANCE

If you plan to have a water management or ditch maintenance program, please fill out the section below, or skip ahead to the next section.

Please check all that apply:

- Inland/freshwater habitats
- Saltmarsh/coastal habitats

Please describe your program:

Check off all planned maintenance types that apply:

- Culvert cleaning (Freshwater Saltwater)
- Hand cleaning (Freshwater Saltwater)
- Mechanized cleaning (Freshwater Saltwater)

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- Stream flow improvement
- Other (describe):

Comments:

What time frame during the year would this work be done?

If available, please attach a map of ditch maintenance areas (or a website link to that map).

Ditch work areas are not mapped out. As a small, rural community, locations of ditch maintenance areas of kept in a file by the DPW. Specific locations can be provided as needed.

LARVAL MOSQUITO CONTROL:

*If you plan to have a larval mosquito control program, please fill out the section below. **NOTE THAT THE USE OF PESTICIDES IS UNDER THE JURISDICTION OF M.G.L. c. 132B, THE MASSACHUSETTS PESTICIDE CONTROL ACT, AND THE REGULATIONS PROMULGATED THEREUNDER AT 333 CMR 2.00 THROUGH 14.00 ET SEQ.***

Describe the purpose of this program:

What months will this program be active?

Describe the types of areas where you intend to use this program:

What will your trigger be for larviciding operations? (check all that apply)

- Best professional judgment
- Historical records
- Larval dip counts – please list trigger for application:
- Other (please describe):

Comments:

What control methods will you use (check all that apply):

- Ground application of larvicide (hand, portable and/or backpack, etc.)
- Aerial applications of larvicide (typically helicopter)
- Catch basin treatments
- Other (please list):

Comments:

ADULT MOSQUITO SURVEILLANCE

If you plan to have an adult mosquito surveillance program, please fill out the section below, or have the contractor provide this information if a contractor has already been selected.

Describe the purpose of this program:

What months will this program be active?

List all trap types you intend to employ (CDC light traps, gravid traps, ovitraps, etc.):

ADULT MOSQUITO CONTROL

*If you plan to have an adult mosquito control program, please fill out the section below, or have the contractor provide this information. **NOTE THAT THE USE OF PESTICIDES IS UNDER THE JURISDICTION OF M.G.L. c. 132B, THE MASSACHUSETTS PESTICIDE CONTROL ACT, AND THE REGULATIONS PROMULGATED THEREUNDER AT 333 CMR 2.00 THROUGH 14.00 ET SEQ.***

Describe the purpose of this program:

What is the time frame for this program?

Describe the types of areas where you intend to use this program:

What methods of control will you use? Check all that apply:

- Aerial applications (typically helicopter)
- Portable applications (ex. Backpack sprayers)
- Truck applications (ultra-low volume (ULV) sprayers, misters, etc.)
- Other (please list):

Comments:

What will your trigger be for adulticiding operations? Check all that apply:

- Arbovirus data
- Best professional judgment
- Complaint calls (Describe trigger for application:)
- Landing rates (Describe trigger for application:)
- Trap data (Describe trigger for application:)

Comments:

ASSESSMENT OF MOSQUITO MANAGEMENT PLAN EFFICACY

Describe efforts for assessing the efficacy of your mosquito management program, if your plan involves any of the following:

- Aerial Larvicide – wetlands:
- Ground ULV Adulticide:
- Larvicide – catch basins:
- Larvicide-hand/small area:
- Source Reduction:
- Other (please list):

Provide or list standard steps, criterion, or protocols regarding the documentation of efficacy (pre- and post- data), and pesticide resistance testing (if any):

INFORMATION TECHNOLOGY (IT)

Does your program intend to use (check all that apply):

- Aerial Photography
- Databases
- Dataloggers (monitoring for temperature, etc.)
- GIS mapping (Describe: _____)
- GPS equipment
- Smartphones
- Tablets/Toughbooks
- Other (please describe):

Comments:

MOSQUITO HABITAT

Has any potential mosquito habitat been identified in your municipality? **Yes** **No**

If so, how? Please indicate all that apply:

- Mapping of wetlands
- Mapping of catch basins
- Past surveillance, done by:

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- DPH
- Mosquito Control District
- Contractor
- Municipality

MOSQUITO TESTING AND ARBOVIRUS

Indicate below which arboviruses have been found in your area during the last five years. If the box is checked please provide number of positive mosquito pools, equine (horse) and human cases. Information available from your MCD, or at: <https://www.mass.gov/lists/arbovirus-surveillance-plan-and-historical-data>

Arbovirus	Positive Mosquito Pools	Equine Cases	Human Cases
<input type="checkbox"/> Eastern Equine Encephalitis (EEE)			
<input type="checkbox"/> West Nile Virus (WNV)			
<input type="checkbox"/> Other (please list):			

Comments:

EDUCATION, OUTREACH & PUBLIC RELATIONS

All municipalities are required to have an education/outreach program.

Provide a 1-2 paragraph narrative of the proposed outreach plan:

Check off all education/outreach methods that you intend to employ:

- Development/distribution of brochures, handouts, etc.
- Door-to-door canvassing (door hangers, speaking to property owners, etc.)
- Social media accounts (Facebook, Twitter, or other social media)
- Mailings (Describe target audiences :
- Media outreach (interviews for print or online media sources, press releases, etc.)

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- Presentations (in-person or virtual)
- School-based programs, science fairs, etc.
- Tabling at events (local events, annual meetings, etc.)
- Website (URL: _____)
- Other (please describe): _____

Select the audience types you intend to target from the list below:

- Residents (homeowners, apartment dwellers, etc.)
- Landlords (for large apartment or condominium complexes)
- K-12 (teachers, students, camps, etc.)
- Municipal staff (highway dept., parks and recreation, board of health, conservation commission, etc.)
- State/Federal land managers (state parks, national wildlife refuges, etc.)
- Transportation industry (Busing companies, commuter rail, truck/rest stops, etc.)
- Recreational venues (fairgrounds, sports complexes, ballfields, etc.)
- Other land owners/managers (please describe): _____
- Other (please describe): _____

Additional Comments:

List a minimum of 3 education/outreach activities you plan to execute for the upcoming mosquito season:

- .
- .
- .
- .
- .

OTHER COMMENTS

Please use this section to add any comments here on topics not covered elsewhere in this report:

REPORTING REQUIREMENTS

Municipalities that receive approval of alternative mosquito management plans from EEA are required to submit an annual report for all activities conducted during the mosquito season **by January 31st.**

Annual reports must be submitted to: EEAopt-out@mass.gov

ACKNOWLEDGEMENT

Please mark each check box indicating your acknowledgement of the items below, and sign and date the application before submitting it.

- The Municipality acknowledges that any work performed will be subject to applicable local, state, and federal regulations, ordinances, and statutes and all necessary permits, licenses, approvals, or other permission must be obtained prior to the commencement of any work. The approval of this Plan does not constitute work under M.G.L. c. 252 or authorize any exemption provided for work conducted under said chapter, unless otherwise expressly provided for by law.
- The municipality acknowledges that approval of a Plan allows it to opt out of spraying conducted by the SRMCB under M.G.L. c. 252, Section 2A. It does not extend to any spraying conducted by a mosquito control project or district (“MCD”) of which a municipality may be a member.
- The municipality acknowledges that it has conducted the required public meeting, that a vote is included with this Plan, and that any vote to opt out of spraying performed under M.G.L. c. 252 is subject to the approval of this Plan. No such opt out will be honored without an approved Plan.

Signature and Title (Sign or Type Signature)

Date

Exhibit A: Narrative of Proposed Outreach Plan

EDUCATION, OUTREACH & PUBLIC RELATIONS

All municipalities are required to have an education/outreach program.

Provide a 1-2 paragraph narrative of the proposed outreach plan:

Harvard is a rural town located approximately 30 miles West of Boston at the intersection of Rt 2 and 495, with a population of approximately 6000 people with numerous orchards and other farming activities. The Town is part of the Nashoba Associated Boards of Health which provides us with a variety of services including: a registered sanitarian, public health nurses, restaurant inspections, and water testing at the Town Beach. The Harvard Board of Health is all volunteer and we employ a part-time clerk for 19hrs/week. The Harvard Board of Health (BOH) members are all professional scientists, two of which have PhDs and the third has a MS and MBA. These volunteers have relevant technical backgrounds and provide the community with sound data driven support. The Harvard Board of Health (BOH) routinely conducts public outreach activities for vector borne diseases (both mosquitoes and ticks), and thus the residents expect, and are receptive to, these types of communications. Communications are directed at the general population, sensitive sub-populations (e.g. Council-On-Aging) as well as targeted to participants in sports activities, businesses with outdoor programs, and other recreational programs. Our communications focus on educating residents to be responsible for their own safety and personal protection. For homeowners, we remind people to repair screens and proactively manage potential breeding grounds by removing standing water, cleaning birdbaths, and cleaning gutters. The Board of Health provides residents, as well as participants in sports and all other outdoor activities, with information on using appropriate insect repellents and clothing, and limiting exposure outdoors during peak mosquito activity. This information is also provided to the school district as well as the Harvard Athletic Association, which runs numerous sports activities in Town. Information for residents is distributed at townwide events, e.g., Town meeting, Garden Club plant sale and other community gatherings. During peak mosquito season, we provide information to residents via the BOH e-mail subscribers and the Townwide alert systems and provide information on Nextdoor Harvard (our local social media source). The BOH also consistently writes articles for and works with our local weekly newspaper on articles about mosquito-borne diseases and personal protective measures.

The specific activities undertaken by the BOH are based on risks posed by mosquito borne diseases. The following table summarizes the steps we take for each level of risk expanded from the DPH EEE Risk Map with more actions as described below.

Risk Level	BOH Action
Remote	Revise protocols (this table) annually
	Monitor DPH, HHAN
	Surveillance <ul style="list-style-type: none"> Evaluate feasibility of partnerships with other organizations (e.g., colleges or NAHB communities) to develop surveillance activities.
	Education and outreach <ul style="list-style-type: none"> Plan for articles in local paper to increase awareness and remind citizens of personal actions they should take to protect themselves during mosquito season Coordinate with DPW for collection of old tires Update BOH arbovirus web page

Exhibit A: Narrative of proposed outreach plan

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	<ul style="list-style-type: none"> • Share the BOH risk table action plan with the community • Provide homeowners information on larval control • Prepare list of tips to send out as e-mail alerts to BOH subscribers • Revise EEE, WNV briefing document
	<p>Personal protection</p> <ul style="list-style-type: none"> • Educate on prevention measures including: <ul style="list-style-type: none"> ○ wearing long sleeved shirts, long pants, and socks ○ active use of repellents and clothing containing repellants ○ use of netting and repairing of screens
	<p>Conduct planning for a Mosquito Task Force comprised of Town entities and interested citizens to be ready as conditions warrant</p>
	<p>Research</p> <ul style="list-style-type: none"> • Impact of climate change on arboviruses • Effectiveness of spraying in rural settings • Evaluate the cost and effectiveness of larval control actions • Review the effectiveness of Bti in waterbodies
Low	<p>Monitor DPH, HHAN</p> <ul style="list-style-type: none"> • Ensure 2 BOH members can access alerts 24/7 • Participate in DPH info sessions
	<p>Surveillance</p> <ul style="list-style-type: none"> • Explore with DPH how additional surveillance locations could be established in Harvard • Actively explore collaborations identified at previous risk level
	<p>Education and outreach</p> <ul style="list-style-type: none"> • Sponsor speaker on arbovirus issues and the importance of personal protection • Townwide mailing on arbovirus with reference to DPH website • Distribute DPH resources (e.g. fact sheets, videos) on EEE, WNV, repellents • Work with Friends of Oxbow, Sudbury Valley Trustees, Harvard Conservation Trust to post signs • Send e-mail alerts to BOH subscribers • Actively educate target populations (e.g. informational talks to the Council-on-Aging) • Messages posted to local cable and social media
	<p>Personal protection</p> <ul style="list-style-type: none"> • Reinforce recommend prevention measures including: <ul style="list-style-type: none"> ○ wearing long sleeved shirts, long pants and socks ○ active use of repellents and clothing containing repellants ○ use of netting and repairing of screens.
	<p>Collaboration with Town entities</p> <ul style="list-style-type: none"> • Weekly updates to Select Board and Emergency Manager on surveillance data • Review with DPW activities related to drainage ditch, fire pond and storm water infrastructure management and maintenance • Conservation Commission –Request information on any mosquito breeding grounds observed during inspections and monitoring of properties • Conduct presentation to Council-on-Aging on how to avoid mosquito bites
	<p>Research</p> <ul style="list-style-type: none"> • Use GIS data in combination with Assessor’s maps to identify water bodies on private properties to create a targeted list of homeowners to receive information on larval control
Moderate	<p>Monitor DPH, HHAN</p> <ul style="list-style-type: none"> • Ensure 2 BOH members can access alerts 24/7 • Participate in DPH info sessions

Exhibit A: Narrative of proposed outreach plan

Application for an Alternative Mosquito Management Plan Required for a Municipality to Opt Out of Spraying Conducted by the State Reclamation and Mosquito Control Board

	<p>Surveillance</p> <ul style="list-style-type: none"> • Petition DPH to provide additional surveillance locations • Implement collaboration(s) identified at previous risk level to increase surveillance
	<p>Education and outreach</p> <ul style="list-style-type: none"> • Distribute DPH resources (e.g. fact sheets, videos) on EEE, WNV, repellents • Continue to send e-mailed alerts to BOH subscribers • Additional reminders on minimizing potential mosquito breeding grounds such as standing water • Use of mobile electronic message board to alert the Town to the Moderate EEE risk level • Messages posted to local cable and social media • Send information on larval control with Bti to homeowners with waterbodies on their property
	<p>Personal protection</p> <ul style="list-style-type: none"> • Strongly reinforce prevention measure recommendation including: <ul style="list-style-type: none"> ○ wearing long sleeved shirts, long pants and socks ○ active use of repellents and clothing containing repellants ○ use of netting and repairing of screens ○ avoid outside areas with mosquito activity
	<p>Collaborate with Town entities</p> <ul style="list-style-type: none"> • Weekly updates to Select Board and Emergency Manager • Meeting of Mosquito Task Force to coordinate Town response • Updates to Beach Director, Park & Recreation on EEE risk level and recommended actions • DPW to provide update on maintenance activities conducted to date. BOH to request Town Administrator provide additional resources if necessary. • Conservation Commission to share information on any potential mosquito breeding grounds identified during inspections. BOH to add properties to list to receive information on larval control methods.
	<p>Inform Town groups of restrictions at Moderate level, and requirements for High level</p> <ul style="list-style-type: none"> • Sports groups, schools • Commercial operations including Fruitlands Museum, Friendly Crossways, General Store, Westward Orchards, Carlson Orchards Cider Barn, other outdoor venues • Harvard Conservation Trust, Friends of the Oxbow, Sudbury Valley Trustees • Harvard-based landscapers and outdoor contractors • Other groups: Scouts, youth groups, Garden Club, Camp Green Eyrie
High	<p>Monitor DPH, HHAN</p> <ul style="list-style-type: none"> • Ensure 2 BOH can access alerts 24/7 • Participate in DPH info sessions
	<p>Education and outreach</p> <ul style="list-style-type: none"> • Inform residents to limit outdoor activities at dusk and dawn • Post signs at playing fields, Town Beach, Post Office, Library, COA, Schools, conservation trails • Provide information to residents via the BOH e-mail subscribers and the Townwide alert systems • Distribute DPH resources (e.g. fact sheets, videos) on EEE, WNV, repellents • Ask churches, schools, athletic groups, etc. to distribute info • Messages posted to local cable and social media • Use of mobile electronic message board to alert the Town to the High EEE risk level
	<p>Surveillance</p> <ul style="list-style-type: none"> • Report to Town residents surveillance data as available
	<p>Personal protection</p> <ul style="list-style-type: none"> • Strongly recommend prevention measures including:

Exhibit A: Narrative of proposed outreach plan

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	<ul style="list-style-type: none"> ○ Wearing long sleeved shirts, long pants and socks ○ Active use of repellents and clothing containing repellants ○ Use of netting and repairing of screens ○ Avoid outside areas during periods of mosquito activity (e.g., dusk to dawn) ○ Reschedule activities if possible
	<p>Collaborate with Town entities</p> <ul style="list-style-type: none"> ● Weekly updates to Select Board and Emergency Manager ● Mosquito Task Force coordinates with all groups in Town ● DPW to provide update on maintenance activities conducted to date. BOH to request Town Administrator provide additional resources if necessary. ● Ask Conservation Commission to publicize mosquito risk level and recommended personal protections to their contacts. ● Ask Harvard Conservation Trust to publicize mosquito risk level and recommended personal protections to their members
	<p>Inform Town groups of restrictions at High level, and requirements for Critical level</p> <ul style="list-style-type: none"> ● Sports groups, schools ● Commercial operations including Fruitlands Museum, Friendly Crossways, General Store, Westward Orchards, Carlson Orchards Cider Barn, other outdoor venues ● Harvard Conservation Trust, Sudbury Valley Trustees, Friends of the Oxbow ● Harvard-based landscapers and outdoor contractors ● Other groups: Scouts, youth groups, Garden Club, Camp Green Eyrie ● Medical providers (doctors, veterinarians, dentists, EMS)
Critical	<p>Monitor DPH, HHAN</p> <ul style="list-style-type: none"> ● Ensure 2 BOH can access alerts 24/7 ● Participate in DPH info sessions ● Provide information from DPH to residents through mechanisms identified above.
	<p>Education and outreach</p> <ul style="list-style-type: none"> ● <i>Cancel outdoor activities</i> ● Post signs at playing fields, Town Beach, Post Office, Library, COA, Schools, conservation trails ● Provide information to residents via the BOH e-mail subscribers and the Townwide alert systems ● Distribute DPH resources (e.g. fact sheets, videos) on EEE, WNV, repellents ● Ask churches, other groups to distribute info ● Use of mobile electronic message board in Town announcing cancellation of all outdoor activities from dusk- dawn ● Messages posted to local cable and social media
	<p>Personal protection</p> <ul style="list-style-type: none"> ● Reinforce personal protection actions published at prior risk levels and add recommendation of cancelling outdoor activities
	<p>Collaborate with Town entities</p> <ul style="list-style-type: none"> ● Coordinate with Select Board and Emergency Manager on messaging to town residents. ● Mosquito Task Force coordinates with all groups in Town ● Recommend closure of town-owned outdoor spaces
	<p>Inform Town groups (same groups identified above for High risk level) of restrictions at Critical level</p> <ul style="list-style-type: none"> ● Recommendation that outdoor activities be curtailed until further notice.
Post-Mosquito Period	<p>Conduct review of mosquito data and actions taken. Recommend revisions to plan for subsequent seasons.</p>

Exhibit A: Narrative of proposed outreach plan

Exhibit B: Topics Not Covered

OTHER COMMENTS

Please use this section to add any comments here on topics not covered elsewhere in this report:

Three topics “not covered elsewhere in this report” include: 1) previous outreach activities performed by the Board of Health; 2) a description of Harvard’s rural landscape because that landscape impacts the efficacy of large-scale mosquito spraying, 3) a description of protected lands, including the Oxbow National Wildlife Refuge, a large area where any mosquito control activities are closely controlled by the US Fish and Wildlife Service, and 4) community position on mosquito spraying.

Previous BOH outreach activities

Listed below are the outreach activities conducted by the Harvard Board of Health in 2019 and 2020. This work was done because the Harvard Board of Health recognizes the importance of education on the topic of mosquitoes and how our citizens can protect themselves. The activities included:

- Organized an emergency meeting with the Select Board and Town Administer to discuss Harvard's threat level, possible response scenarios, and prepared a briefing document for the same.
- Prepared a press release following the finding of a single EEE positive mosquito sample.
- Prepared Urgent alerts to Board of Health and Town e-subscribers regarding the positive sample in Harvard as well as DPH data showing the first human cases of WNV/EEE in MA.
- Contacted all Town groups with late afternoon & evening outdoor activities to advise of the risk and provide reference materials (MDPH EEE fact sheet & MDPH info sheets on mosquito repellents)
- Provided informational materials to all doctors, dentists, and veterinarians in Town (MDPH EEE fact sheet & MDPH info sheets on repellents)
- Distributed DPH handouts on EEE & WNV, mosquito repellents, and mosquito control tips to residents.

Such actions as these were data driven and have served the community well. They gave the community information from a source they could trust, gave veterinarians and medical professionals information to raise awareness of EEE to their patients, and provided guidance to the Select Board.

Description of Harvard

The Town of Harvard encompasses 27 square miles. Citizens of Harvard take pride in the Town’s rural character, protected lands and water bodies, and agricultural lands with significant commercial (home to the largest apple orchard in the state) and privately cultivated farmland, many of which are organic farms. The majority of land coverage in Harvard are forests, consisting of mainly central hardwoods with some transition hardwoods and some elm-ash-red maple and red and white pine. Many major rivers drain this area. Approximately 26% of the land is “open space” and protected in perpetuity.

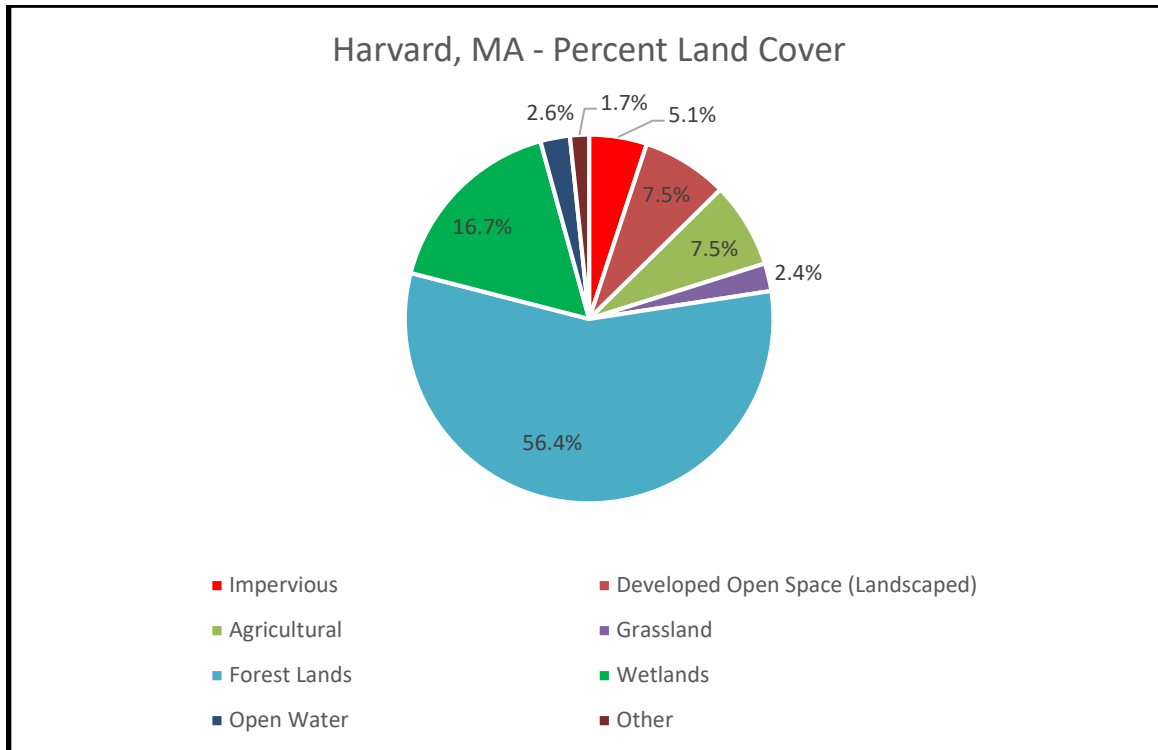
The following table and graphic describe the types of land coverage in Harvard. The following analysis is based on 2019 land cover data from MassGIS (<https://docs.digital.mass.gov/dataset/massgis-data-2016-land-coverland-use>). Table 1 and the following pie chart present this analysis.

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Table 1.

Land Cover Type	Percent	Acreage*
Impervious	5.1%	744
Developed Open Space (Landscaped)	7.5%	1108
Agricultural	7.5%	1103
Grassland	2.4%	358
Forest Lands	56.4%	8284
Wetlands	16.7%	2455
Open Water	2.6%	380
Other	1.7%	245
Total	100.0%	14677

*excluding Devens portion of historical Harvard



The majority of land in Harvard is trees or forested (~56%), agricultural and grasslands and agriculture make up ~10%, lawn and landscape area only account for 7.5%. The agricultural category includes pastures, hay fields, orchards and numerous organic farms. It is important to recognize that due to the extensive tree and forested land any form of spraying will not be as effective because the tree canopy will intercept the spray. Open water applies to Bare Hill Pond, in the center of the town. This is a Great Pond, under state regulations. Bare Hill Pond Watershed Management Committee is actively monitors and takes actions to protect this valuable resource. Wetlands account for ~17% of the area (2,455 acres). Approximately, 32% of this wetland area is the Oxbow National Wildlife Refuge, which is described in a following section. The

Exhibit B: Topics not covered

Application for an Alternative Mosquito Management Plan Required for a Municipality to Opt Out of Spraying Conducted by the State Reclamation and Mosquito Control Board

remaining wetlands are associated with river or small stream systems and also maybe within the forested lands.

Harvard also has many homes and structures which are set back substantial distances from public rights of way, as shown in Table 2.

Table 2

Structures - Harvard		
Distance from Roadway (ft)	Structure Count	PCT
<25	147	4.6%
25-50	287	9.1%
50-100	807	25.4%
100-200	1,039	32.8%
200-300	371	11.7%
300-400	193	6.1%
>400	327	10.3%
Total	3,171	100%

These data indicate that only 15% of structures (mostly houses but also barns and other free-standing units) are within 50ft of a public right of way and another 25% are within 100 ft. It is likely that the remaining 60% of structures have trees and tall vegetation between the public right of way. According to the DPH Arbovirus Surveillance Plan (2020), roadside spraying reaches approximately 300' from the roadway but only when there is a clear line of sight. Harvard's setback structures and heavy vegetation coverage will greatly reduce the effectiveness of road-side spraying.

Protected Lands

Oxbow National Wildlife Refuge

The Oxbow National Wildlife Refuge is on the western edge of Harvard covering 787 acres in Harvard with an additional 362 acres in the portion of Devens which falls within the historical boundaries of Harvard. The Federal Fish and Wildlife Service regulates what mosquito control activities are permitted in their jurisdiction. According to the Wildlife Refuge Complex Manager, Linh D. Phu, the following restrictions apply: "The Eastern Massachusetts National Wildlife Refuge Complex does not allow spraying (both larvicides and adulticides in any form of spray treatment) for mosquitoes for nuisance issues. When it is deemed a high public health risk, we will review documentation from Mosquito Control districts and issue special use permits to spray larvicides following an Integrated Pest Management request to be reviewed by our Regional Office. "

Core Habitat and Critical Natural Landscapes

The BioMap2 Report for Harvard (2012) notes that approximately 26% (4445 acres) of Harvard land is protected in perpetuity, 28% (4876 acres) is Core Habitat, and 16% (2834 acres) is Critical Natural

Application for an Alternative Mosquito Management Plan Required for a Municipality to Opt Out of Spraying Conducted by the State Reclamation and Mosquito Control Board

Landscape. These land use types provide important habitats for insects which are extremely important to a thriving ecosystem and must be protected.ⁱ Additional land has come under protection since 2012, e.g. Horse Meadows Knoll which is home to several endangered species and is under the auspices of Sudbury Valley Trustees and Harvard Conservation Trust.

Bare Hill Pond

Bare Hill Pond is an important natural resource in Harvard that supports critical ecosystems, both aquatic and terrestrial. It is now host to nesting Bald Eagles, considered a “species of special concern by the State.

Community position on spraying

The Town of Harvard has never joined a mosquito control district. The Board of Health has strong support from the community to limit the broad-scale use of insecticides. There has only been one EEE positive mosquito found in the last 5 years. Given this level of risk, we fully expect that our education and outreach activities will continue to allow our residents to protect themselves from mosquito-borne diseases. This position is supported by Conservation Commission and the Bare Hill Pond Watershed Management Committee. The Bare Hill Pond Watershed Management committee issued the following statement regarding this application: “. Avoiding the use of Mosquito spay in and around the Bare Hill Pond Watershed is an important objective, as it could damage the ecosystem and harm important other species with limited benefit due to the forested conditions in the Town. The Committee voted to endorse the recommendation of the Board of Health to opt out of the Program.”

[Con com meets 5/6; will add their statement on 5/7]

ⁱ *BioMap2*: Conserving the Biodiversity of Massachusetts in a Changing World. Harvard 2012. Massachusetts Division of Fisheries and Wildlife/Natural Heritage & Endangered Species Program (NHESP), and The Nature Conservancy/Massachusetts Program. http://maps.massgis.state.ma.us/dfg/biomap/pdf/town_core/Harvard.pdf

EEE briefing note

Prepared by the BoH for Select Board, Town Administrator, residents

Version 4.29.21

I. EEE facts (CDC.gov)

- *Rare*: an average of 7 human cases of EEE are reported annually in the Eastern US: (2015: 6, 2016: 7; 2017: 5; 2018: 6). In 2019, 12 cases in MA.
- Persons over age 50 and under age 15 seem to be at greatest risk
- Only about 4-5% of human EEEV infections result in EEE
- About 40% of human cases succumb; others have neurologic damage (MA DPH)

II. Mosquito facts

- 200 different species mosquitoes in the US; 18% of species bite humans (female mosquitoes only)
- Lifespan: Females: 42-56 days, Males: 10 days
- Range most species: 1-3 miles, some as little as 300 feet /others up to 7 miles (mosquito.org)
- *Only four* of the species are thought to carry EEE, creating the risk for mammals

III. Monitoring & Surveillance:

- DPH works with SRMCB (State Reclamation and Mosquito Control Board) and regional MCP (Mosquito Control Programs)
- In 2017 and 2018, tested 5,498 and 5,921 mosquito samples respectively across the state; plans to test ~5,921 samples in 2019
- DPH [2020 Arbovirus surveillance plan](#) spells out surveillance/response plan. 2021 Plan not posted
- Harvard BOH and NABH receive alerts through the Health and Homeland Alert Network

IV. Risk level & Status: State defines 5 risk levels and recommendations.

- **Status:** As of 4/25/21, N/A.
- BoH has drafted a **Risk Table/Response** and a Communication plan for Harvard
- **Projection:** EEE likely to be seen in 2021, from July until first hard frost.
 - 2 hours below 28° or 3 hours below 32° F (DPH 2019 surveillance plan)

V. Interventions:

DPH's message: *It is critically important for people in communities at critical, high, and moderate risk for EEE to continue to take personal precautions against mosquito bites.*

In order, interventions and response are: (cite: Beyond Pesticides.com)

1. Personal protection/ Education & outreach
2. Eliminate breeding areas/standing water
3. Surveillance: monitor mosquitoes and virus
4. Reduce population of larval or immature mosquitoes
5. Spray, adulticide. Last resort only and targeted.
 - Exclusions apply. Drinking water reservoirs, organic farms, endangered species areas (eg, Oxbow, Horse Meadow Knoll) are excluded.

Additional information on spraying adulticides:

“Spraying is the final intervention. Personal protection should continue.” (Dr. Catherine Brown, DPH State Epidemiologist, 8/26/19 on WBUR).

Two types of spraying

- **Aerial:** Conducted in communities where a human case has been reported; initiated by DPH upon “public health hazard”. Done by MDAR. Product in 2020 was Anvil® 10+10. Unclear if spray reaches ground in forested areas.
- **Roadside:** Roadside spray **reaches max 300’ from road, with clear line of site.** Product is Anvil® 10+10. Unclear about reach for e.g. hammerhead lots.

Both types done at night. Will kill current adult mosquitoes, and reduce breeding in next cycle. Will not impact eggs and larvae.

“EPA has evaluated... Anvil®... and determined that it does not pose an unreasonable risk to birds or mammals, if used according to the product label directions. Anvil ...[is] toxic to land-dwelling and water-dwelling invertebrates (e.g., dragonflies, beetles) and to fish. There is less risk to fish in larger ponds than in smaller ones and the risks to large natural water bodies are minimal.” (DPH website).

In fall 2020, DPH discovered that PFAS from the containers leached into the Anvil 10+10 spray. No current info on what chemical will be used in 2021.

Aerial allows 3 exclusions: (CMMCP.org)

- Open drinking water sources
- Endangered species habitats (check about threatened species)
- Commercial organic farms

Roadside: Truck-based. In non-emergency, allows homeowners to opt out. Spray reaches maximum 300’ from the roadway, only with a clear line of site.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

KATHLEEN A. THEOHARIES
Secretary

JOHN LEBEAUX
Commissioner

November 6, 2020

Board of Selectmen
Town of Harvard
13 Ayer Road
Harvard, MA 01451

Re: APR Project Name: Community Harvest Project, Inc., Project ID # 20A09

As required by General Laws Chapter 7C, Section 37, enclosed please find:

- 1) A **"NOTICE OF PROPOSED ACQUISITION"**, commonly known as the "120 Day Notice", informing you that the Commonwealth of Massachusetts, acting through its Department of Agricultural Resources ("MDAR"), proposes to purchase an Agricultural Preservation Restriction ("APR") on farmland in your municipality as described in the enclosed Notice. ***The return receipt attached to this packet will confirm that you have received this notice.***
- 2) A **"CONFIRMATION OF NOTICE"** on this project. ***We ask that you (1) post and/or publish this NOTICE, and (2) hold a public announcement at which the NOTICE OF PROPOSED ACQUISITION is read into the record.*** This can be at a regular Select Board or City Council meeting, or at another public meeting for which standard legal notice was given. Please understand that the municipality need not take any action or vote concerning the acquisition - the announcement is for informational purposes only.
- 3) A **"CERTIFICATE OF NOTICE"** that following said adequate notice, the hearing/public announcement mandated by Section 37 has been held within the Municipality not later than 120 days prior to the planned acquisition. Once the meeting has been held, **please complete and return the enclosed signed "Certificate of Notice"**. The date that you certify for the announcement starts the minimum 120-day (4-month) clock for closing on the APR.
- 4) A **"CONSENT TO REDUCTION OF NOTICE PERIOD"** for this project. The law also allows for reduction of the notification period if the local public officials and legislators so agree. Because of MDAR's priority classification of this farmland for protection, we ask that your municipality agree to reduce the 120 day notification period to 60 days to expedite the process. The closing for this project is a time-sensitive matter, and your cooperation in this request is very much appreciated by the Department.

If you have any question regarding this proposed acquisition, I can be contacted at 617-626-1758. Thank you for your assistance.

Sincerely,

Michele Padula
APR Regional Planner

Cc: Dorothy Du, APR Program Administrator

NOTICE OF PROPOSED ACQUISITION
OF AN AGRICULTURAL PRESERVATION RESTRICTION
ON PROPERTY IN THE TOWN OF HARVARD

Date of this Notice: November 6, 2020

Notice of proposed acquisition is hereby given to:

- (X) Chairman of the Board of Selectmen of the Town of **Harvard**, or
- () Mayor or City Manager of the City of

Separate notice will be given by the Department to the appropriate: County Commissioners, Regional Planning Agency, and the members of the General Court representing the district in which the land is located.

In compliance with G. L. c. 7C, Section 37, the Commonwealth Massachusetts, acting by and through its Department of Agricultural Resources (the "Department"), hereby gives notice that it proposes to acquire an agricultural preservation restriction ("APR") on the real property identified herein for the purpose of protecting in perpetuity its superior and productive agricultural resources by preventing their conversion to other uses.

The application received by MDAR indicates that the property is owned by Community Harvest Project, Inc. and consists of parcel (s) located at Prospect Hill Road in Harvard **as approximately represented on the attached map**. The APR may encompass all or parts of the area shown.

The current use of the property is primarily for apples.

Following the recording of the APR, the use of the subject property is limited to agricultural use as more particularly set forth in the APR document, the General Laws [Chapter 184, Sections 31], and the Regulations of the Department [330 CMR 22.00 et seq].

Massachusetts Department of Agricultural Resources, by:



Michele Padula, APR Regional Planner

CONFIRMATION OF NOTICE
REGARDING PROPOSED ACQUISITION
OF AN AGRICULTURAL PRESERVATION RESTRICTION

In compliance with the G. L. c. 7C, Section 37, notice is hereby given that an announcement at a public meeting was held for the purpose of disclosing the conditions or reasons supporting the Commonwealth's proposed acquisition of an agricultural preservation restriction ("APR") on certain property in the Municipality of **Harvard** as more particularly described in the attached NOTICE OF PROPOSED ACQUISITION.

The date, time, and place of the hearing are as follows: Date: _____ Time: _____ Place: _____
--

CERTIFICATE OF NOTICE

I certify that this Confirmation of Notice Regarding Proposed Acquisition of an Agricultural Preservation Restriction was posted or published in the following manner:

I further certify that an announcement was held at the place, date, and time indicated in this Notice.

x _____
(name and title: _____)

<p><i>Please complete this form and return to:</i></p> <p style="text-align:center">Dorothy Du Massachusetts Department of Agricultural Resources 251 Causeway Street, Suite 500 Boston, MA 02114</p>

CONSENT TO REDUCTION OF NOTICE PERIOD

APR Project Name: Community Harvest Project, Inc., Project ID# 20A09

As authorized by the Massachusetts General Laws Chapter 7C, Section 37, the undersigned and duly authorized representative(s) of the Town of **Harvard** do hereby consent to a reduction of the 120 day notice period prescribed for the announcement at a public meeting on the Commonwealth's proposed acquisition of an Agricultural Preservation Restriction referenced above to not less than 60 days.

Date: _____

_____ Signature	_____ Name	_____ Title
_____ Signature	_____ Name	_____ Title
_____ Signature	_____ Name	_____ Title
_____ Signature	_____ Name	_____ Title
_____ Signature	_____ Name	_____ Title

Additional signatures are required for a 60 day Waiver from legislators and Regional Planning Agencies. MDAR will attain those additional approvals.

Please complete this form and return to:

Dorothy Du
Massachusetts Department of Agricultural Resources
251 Causeway Street, Suite 500
Boston, MA 02114

SUBJECT PROPERTY

Community Harvest Project, Inc. Property
Prospect Hill Road
Harvard, Massachusetts



Aerial Photo Provided by Mass GIS/Google Earth. The 70.61 Acre Subject Property is Outlined in Red. Photo Dated June of 2019. The Two 'X'-Out Parcels are Lots 1 and 2 That are Excluded from the Larger, 75.02 Acre Parcel.



Select Board Minutes
Tuesday, April 20, 2021
7:00pm

The Select Board Regular Meeting was held virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A. S.20.

Select Board participants:

Alice von Loesecke, Kara Minar, Stu Sklar, Lucy Wallace, Rich Maiore

Town Department attendees:

Town Administrator Tim Bragan, Assistant Town Administrator/HR Director Marie Sobalvarro, Executive Assistant Julie Doucet, Community & Economic Development Director Chris Ryan

Additional participants:

Planning Board Chair Justin Brown, Bromfield House Committee members Bill Ference, Stephen Ford and Pam Marston.

Planning Board review of their articles for the Annual Town Meeting

Ayer Road Vision Planning

Planning Board Chair Justin Brown explained this capital funding request is to produce legislation to develop and execute a plan for the Ayer Road corridor. The funds support a community-led process to define a vision for the corridor utilizing a three phased process:

- 1) Market analysis and fiscal impact
- 2) Vision Plan
- 3) Transform Vision to Bylaw

Community & Economic Development Director Chris Ryan recommends Form-Based Code be utilized in phase 3. This provides a more visual plan instead of conventional zoning regulations and will require professional assistance. Brown announced a public meeting with a formal presentation will be held on April 29th.

The Select Board members had a few comments/questions but were overall pleased with the concept and approach.

Senior Housing Bylaw

Brown reported the Planning Board continues their efforts to advance zoning amendments to facilitate development of appropriate senior housing in Harvard. They will take a three phased approach with this as well:

- 1) Spring ATM 2021 – propose a new senior residential development bylaw that serves as a governing document for senior housing and propose amendments to the accessory apartment bylaw that will make it easier to develop units specifically for seniors. In addition, they will introduce their three-phase strategy.
- 2) Fall ATM 2021 – investigate ways to permit senior housing in small village-like clusters surrounded by open space. They will also consider continuing care solutions.
- 3) Spring ATM 2022 – Investigate ways to provide senior housing in the town center, options for active living adult communities, find a way to address the needs of seniors who need affordable units and explore updating the Hildreth Housing District zoning.

PB Chair Justin Brown and PB liaison Rich Maiore encouraged the Select Board members to vote in support of the Planning Board's phased process. By a roll call vote, Wallace – aye, Maiore – aye, Minar – aye, Sklar – aye, von Loesecke – aye, voted unanimously to support the three articles being proposed by the Planning Board.

Bromfield House Committee report and recommendation

Rich Maiore announced the names of his fellow committee members: Patricia Jennings, Stephen Ford, SusanMary Redinger, Bill Ference and Pam Marston. Maiore included Bromfield Trustee Pete Jackson who acted as an advisor. He reported the committee worked for six months soliciting feedback and gathering data to assist in making their recommendation. He acknowledged some of the ideas they received were simply not feasible. Ultimately, the committee voted 4-2 to recommend the town retain the land and sell the house.

Member Bill Ference said the committee learned residents have differing philosophical views on what is the best approach for this property given its history and location to the town center. Member Stephen Ford did not vote in favor of the motion. His concern lies with New England towns being defined by their historic buildings. He feels it would be difficult to lose that connection and charm of the location. Fellow committee member and Historic Commission member Pam Marston agrees with Ford. She pointed out the role of the commission is to protect significant buildings. Marston voted for the house to be sold as a residence however it was not an easy decision.

Alice von Loesecke reiterated Town Counsel Mark Lanza's opinion after his research confirming proceeds are to be used for five very specific educational purposes set forth in the Trust:

- 1) Keeping the Bromfield School buildings and grounds in suitable repair
- 2) Purchasing accessory books and apparatus for the use of the Bromfield School
- 3) Providing instruction for a limited number of pupils of talent and promise whose parents may not be able to pay for it
- 4) For defraying such other expenses of the conduct of the Bromfield School
- 5) Superintend, manage and conduct the school for the best good of the pupils and the public.

He also noted the court did not specify which body or entity is authorized to manage and expend the proceeds of the property sale. Traditionally, town owned real estate proceeds are considered town funds and their disposition is governed by MA General Laws Chapter 44, Section 63. The proceeds of the sale must be used for the five purposes outlined or alternatively can be voted at town meeting to transfer the funds to the Bromfield Trust. The Select Board members thanked the committee for their efforts and informative final report.

Minutes

By a roll call vote, Minar – aye, Sklar – aye, Wallace – aye, the board voted to approve the 4/6 minutes as presented. Alice von Loesecke and Rich Maiore abstained from voting because they were not present at the meeting.

Public Communication

Resident Bev Rodrigues is devastated to think the town may get rid of the Bromfield House and just keep the land. She believes it is shortsighted to not keep this history in town and utilize the gift the way it was intended. She suggests the Select Board clearly inform voters at the town meeting how much of their tax dollars will be used to forfeit a historic building while keeping the land with an uncertain future as an expense to the town.

Resident Jim Lee attended almost all of the Bromfield House Committee meetings. He agrees with Rodriguez that the recommendation is shortsighted and has no real reason as to why the town should keep only the land. He understands land is important but the property as a whole is a valuable piece of history. He thinks selling the entire property as a residential dwelling makes the most sense however not ideal.

Sharon Cronin, Arm & Arm, thanked the Select Board for taking up the important task to draft a diversity statement. She offered a couple of suggested edits to the draft for consideration.

Bob O'Shea, Park & Recreation Chair, offered the insight this land could accommodate a softball field which the town is in great need of since the new school project began. He imagines this would be considered an educational purpose.

Resident Bonnie Chandler does not believe the town needs a "diversity statement," and the town most certainly should not be giving "diversity training" to employees and volunteers. This diversity statement is just virtue signaling, jumping on the bandwagon of those who are trying to convince us that our country suffers from "systemic racism." The official name for this is "Critical Race Theory." The proponents say that any outcome where non-whites are underrepresented is prima facie evidence of systemic racism and oppression. They demand we judge everyone by the color of their skin and give apologies and reparations. Even if it *were* true, this wouldn't be the way to go about fixing it. This is just aimed at stirring up as much hatred, resentment, division, and conflict as possible. The new "equity" or "diversity" training teaches that whites cause all the problems in our society and demands public apologies and public self-condemnation, and it is therefore guilty of the very thing it warns against -- that is, judging people by the color of their skin instead of the content of their character. Why aren't public officials calling their bluff? If you look around at the rest of the world, at the many countries with inequality and conflict between races, tribes, religions, classes and genders, it is obvious that we are one of the best countries in the world in terms of equality, and certainly the most conscientious at trying to eliminate the remaining vestiges of inequality. Equality is already enshrined in our laws, it's enshrined in our culture, and it's enshrined in our hearts. We are not perfect but we are always working on it and always improving. Yet suddenly everyone is scrambling to write "diversity statements" in a cowardly attempt to appease this new mob of bullies. I thought everyone knew that appeasement just brings more demands.

Resident Erin McBee is pleased with the diversity statement noting there is not a lot of diversity out here and we need to rectify that.

Staff Report/Updates

- The Harvard Ambulance Service billing and collections contract was up and the Procurement Officer completed the new procurement process the new contract will be awarded to ComStar.
- The Permanent Building Committee has started the DPW Facility Assessment and an RFQ is out for Planner/Architects with a site visit on April 28 for prospective respondents.
- The Harvard Historical Commission has opted to withdraw their grant application for the Herb Drying Shed to Massachusetts Historical (which had a required town-match), and after consultation with CPC, will be resubmitting to both CPC and Mass Historical.
- Open enrollment for health insurance is underway and thus far there is no indication of folks moving from Fallon to the other carriers.

- The vaccination site at Devens has been approved and we are now working with NABOH and others to see what will be needed from the Towns. Once more details are received; we will get them out to the Board and the public.
- This week we received the attached document, in advance of the pending regulations and American Rescue Plan Act (ARPA) guidelines, laying out steps local governments need to take to prepare for ARPA. The companies we do business with have to have a DUN'S number (issued by Dunn and Bradstreet) and we have to be registered with SAM (government-wide database) and we are already registered. Finally, they say more information will be forthcoming in the next few weeks. Stay tuned.
- On May 3, 2021 Mosquito Control Task Force will be hosting a public listening session from 11AM to 1PM. The attached document has details for registering for the listening session and for submitting comments if you cannot attend the session.
- At your next meeting we will be having a hearing on the BOH Mosquito Plan and you will be asked to act on an APR for the Community Harvest Project.

Budget Update:

All of the changes related to the budget happened at the State level with the House coming out with their budget which is larger than the Governor's (see attached article with MTF's Summary of HWM FY2022 Budget) With respect to changes to the Cherry Sheet they were made at the State level and changes to our numbers keep everything neutral. That is to say the revenue and expenses increased roughly at the same rate (see attached).

Vote DPW truck as surplus

By a roll call vote, Wallace –aye, Sklar – aye, Minar – aye, Maiore – aye, von Loesecke -aye declare as described as surplus.

Discuss Diversity Statement

Alice von Loesecke thanked Arm & Arm and fellow board member Rich Maiore for working on the draft document. The Human Resource Director Marie Sobalvarro said she will work with the school department on any diversity training opportunities. Kara Minar emphasized the importance of civility, dignity, respect and an understanding we all have differing lived experiences. Her fellow board members whole heartedly agreed with the sentiments she expressed. Von Loesecke acknowledged the great thought and compromise that went into the process of drafting this document. A few minor corrections were made to the statement. By a roll call vote, Wallace – aye, Sklar –aye, Minar – aye, Maiore – aye, von Loesecke – aye, the board voted unanimously to approve the diversity statement as amended.

Revenue Ideation Committee charge

Lucy Wallace expressed her apprehension the committee charge does not combine short revenue generation with a more long term strategic approach to the structural budget. Rich Maiore reminded Wallace this charge is specific to the Strategic Planning Session goal to create a subcommittee to brainstorm non-property tax opportunities. He intended this to be a short term committee. Alice von Loesecke said she along with the Finance and School Committee chairs have begun initial steps on how to address the more long term scope. They decided to add work with state representative to improve state aid and to develop a home rule petition (preferably with other communities) to not assign a commercial tax rate to farms. By a roll call vote, Minar – aye, Sklar – aye, Maiore – aye, Wallace – aye, von Loesecke – aye, the board voted unanimously to approve charge as amended. They will plan to make appointments at the next meeting.

Act on conflict of interest submissions

Open Space Committee members Peter Dorward and Jim Lee completed conflict of interest forms based on financial or particular matter issues.

By a roll call vote, Minar – aye, Wallace – aye, Maiore – aye, Sklar – aye, von Loesecke – aye, the board voted unanimously to determine Peter Dorward no conflict of interest in all matters related to his Harvard Conservation Trust and Open Space Committee roles.

By a roll call vote, Minar – aye, Wallace – aye, Maiore – aye, Sklar – aye, von Loesecke – aye, the board voted unanimously to determine Jim Lee no conflict of interest in his service on the Harvard Conservation Trust and Open Space Committee as described.

Finalize Annual Town Meeting warrant

By a roll call vote, Minar – aye, Wallace – aye, Maiore – aye, Wallace – aye, von Loesecke – aye, the board voted unanimously to approve the warrant for the 2021 Annual Town Meeting.

Select Board Reports

Lucy Wallace asked for an update on the speed signs and status of when they will be reopened at the Transfer Station. Town Administrator Tim Bragan spoke with Chief Denmark about the speed signs last week and expects them to be reopened in May.

Kara Minar asked when the Slough Road project will begin. Bragan said staging has started and notices will be forthcoming. He admitted construction is always terrible but the town will do its very best to minimize any issues.

Alice von Loesecke announced the League of Women voters will be hosting a candidate's night on May 11th from 7pm to 8pm.

By a roll call vote, Wallace – aye, Maiore – aye, Sklar – aye, Minar – aye, von Loesecke – aye, the board voted unanimously to enter into executive session at 9:30pm as per MGL 30A Sec. 21.3 to discuss strategy with respect to collective bargaining or litigation if an open meeting will have a detrimental effect on the government's bargaining or litigating position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel. The Board will reconvene into open session only to adjourn.

The meeting was adjourned at 10:15pm.

Documents referenced:

Planning Board information – dated spring 2021

Bromfield House Committee report – dated 4.15.2021

Diversity Statement – dated 4.20.2021

Revenue Ideation Committee charge – dated 4.1.2021

Conflict of Interest disclosures Dorward/Lee – dated 4.2.2021

Draft warrant – May 2021

~\$2500 ↑

WasteZero[®]
Save Money. Reduce Waste.

t: 919.322.1234
f: 919.322.1234
4208 Six Forks Road
Suite 1000
Raleigh, NC 27609
evance@wastezero.com



March 30th, 2021

Tim Kilhart
DPW Director
Harvard DPW
Town of Harvard
47 Depot Road
Harvard, MA 01451

Re: WasteZero Trash Metering Agreement - Extraordinary Resin Cost Adjustment

Dear Mr. Kilhart,

Thank you for allowing WasteZero to serve you and the residents of the Town of Harvard with your waste reduction program. We deeply appreciate the opportunity to be your partner in a program that has had such positive financial and environmental impacts on your community.

As you know, COVID-19 has had wide-ranging impacts across our society. We have worked hard to minimize those impacts in every community we serve. Unfortunately, pandemic-related cost increases have become unmanageable, requiring that we increase our Supplies and Services Fee due to extraordinary disruptions in resin markets, according to Section 14. Bag Pricing Adjustments, Subsection b. Extraordinary Resin Cost Adjustments of the WasteZero Trash Metering Agreement.

Over the past year, WasteZero has absorbed increases in shipping, labor and resin costs that have had a significant, negative impact on our business. Shipping costs have increased by 29.25%. The pandemic has caused a nationwide driver shortage while dealing with increased loads due to online ordering, port delays and general supply chain backlogs. The base raw material of our product, resin, has seen cost increases exceeding the price spike threshold set in our contract, of more than a 20% above the Benchmark Resin Rate over a ninety-day period.

As a result, we regrettably must exercise Section 14.b of our contract to help recoup the extraordinary increase in resin costs. We have worked hard to avoid passing these costs on to you and will only pass this resin surcharge along for the duration of this pricing disruption. It is our sincerest hope that our raw materials costs will return to normal so we can reverse this pricing adjustment.

By exercising this clause, the cost of your bags will increase by \$0.0481 for a large bag, \$0.0284 for a small bag. This will increase your per-case cost to \$74.62 (from \$65.00) and \$49.67 (from \$44.00) for the large and small bags respectively. Please note that these adjustments to pricing will take immediate effect.

Please do not hesitate to contact me at 919 322 1234 or email me at evance@wastezero.com if you have any questions or need any information. These are unprecedented and difficult times. We greatly value our partnership with you and will continue to do all within our power to provide you the best products and services at the most competitive price we can.

Sincerely,

A handwritten signature in black ink that reads "Elizabeth Vance". The signature is written in a cursive style with a large initial "E".

Elizabeth Vance
Head of Legal Issues