



**Board of Selectmen  
Minutes  
December 1, 2009  
Town Hall Meeting Room**

The meeting was called to order at 7:09 P.M. by Chair, Ron Ricci in the Town Hall Meeting Room. Ron Ricci, Lucy Wallace, and Peter Warren were all in attendance.

Ron Ricci announced the passing of former Fire Chief Paul “PJ” Johnston. He said the wake would be held on Wednesday, December 2<sup>nd</sup> from 3pm-7pm and the funeral on Thursday, December 3<sup>rd</sup> at 11am at St. Theresa’s parish in Harvard.

**FY2010 TAX CLASSIFICATION HEARING**

Harold Scheid and Celia Jornet from the Assessing department were present to recommend a single tax rate to the Selectmen.

Scheid provided the following four main reasons for the recommendation:

1. Harvard historically has always had a single tax rate and there are no compelling reasons to shift the tax burden onto the commercial class
2. Harvard’s commercial/industrial tax base represents less than 5% of the town’s assessment base
3. Most cities and towns with a split tax rate have commercial and industrial assessment bases of at least 10%
4. Increasing the commercial and industrial tax burden would send a negative message to those considering developing Harvard’s commercial tax base.

On a Wallace/Warren motion, the Board voted unanimously to adopt a uniform tax rate for FY2010.

On a Wallace/Warren motion, the Board voted unanimously to not adopt a residential exemption or a small commercial exemption.

**MINUTES** – On a Wallace/Clark motion, the Board voted unanimously to approve the minutes of 11/17, as amended.

**MASSACHUSETTS ELECTRIC COMPANY POLE HEARING**

National Grid representative Iris Price was present to address questions from the Selectmen and residents. Ms. Price explained this is a sub pole used to guide a pole line on a private driveway. Peter Warren expressed concern regarding a large tree located right next to the proposed pole location.

Abutting residents present  
Bill Watts 132 Stow Rd,  
Bob Mayerson, 139 Stow Rd  
John Dayton, 138 Stow Rd

Residents asked questions regarding the exact location of the pole and why this pole is necessary. Ricci suggested a continuation of the hearing when a plot plan could be provided indicating the exact location of the pole. Ms. Price stated a marker is in place now that could be easily viewed by the residents. The residents agreed the location

marker was sufficient for them to confirm the exact location of the pole. Ms. Price explained a transformer from an existing damaged pole needs to be relocated and that is part of the reason for the installation. The Selectmen agreed the Tree Warden should be consulted prior to approval of the pole.

On a Wallace/Warren motion, the Board voted unanimously to continue the pole hearing to their December 15<sup>th</sup> meeting.

**FIRE CHIEF CAPITAL REQUESTS** – Fire Chief Bob Mignard presented a spreadsheet representing his capital requests through 2014. Tim Clark entered the meeting at 7:54pm.

Fire Department		Projected Amount of Request by year			
Projects	2011	2012	2013	2014	
Replace all SCBA Air Bottles by 6/2011	\$37,000				
Maintenance refurb of Engine 2	\$15,000				
Replace Brush Truck		\$120,000			
Replace Engine 4 - Hose Reel Truck	\$550,000				
Refurbish Fire Station-building & systems			\$250,000		
Major refurb of Tanker				\$95,000	

Mignard said he is aware of the current financial situation the town is facing and indicated he considered this when developing the proposed projects and schedule. The first item for 2011 is the replacement of air bottles which Mignard indicated is a necessity because the current bottles are nearing the end of their life. Secondly, he said engine 2 is approaching 10 years in age and is due for major maintenance which he believes will extend the life of the engine. The last item is the replacement of engine 4 which Mignard said is the oldest engine in the fleet and most important. Mignard said he worked with one of the firefighters to develop the cost estimates. Lucy Wallace asked how accurate the estimates are and Mignard said the numbers may need some refining but he is confident in the estimates provided. Mignard briefly reviewed the future projects and the Board members thanked him for his report.

**PUBLIC COMMUNICATION –**

Willie Wickman, 27 Willow Road, asked if the EDAT committee was going to widen their scope to include Devens and when would the entire town be surveyed on the commercial development of Ayer Road? Lucy Wallace said her recollection was EDAT would initially study Ayer Road and eventually include Devens but she said a timeline was not finalized. She encouraged the BOS to revisit EDAT’s charge and develop a more specific timeline. Peter Warren said EDAT plans to hold a public session toward the end of January.

Laura McGovern, 62 Old Mill Road, came to update members on the Evergreen Solar noise issue. She said DEC would be meeting on Thursday, December 3 at 7:30am to approve long term monitoring protocol. McGovern’s concern is the protocol may not

include adjusted monitoring locations to be set at the property boundary lines. Ron Ricci said he would attend the meeting.

Deborah Skauen-Hinchliffe, 221 Still River Road, asked if there has been any action to realize significant savings in health insurance for the town. Town Administrator Tim Bragan said no comment could be made due to current union negotiations. Skauen-Hinchliffe also asked about the \$1 million dollars proposed to construct a visitor's center for Oxbow Wildlife Refuge. Lucy Wallace suggested she contact the Refuge Manager in Sudbury for more details.

**U-PICK POLICY REVISIONS**– Agricultural Advisory Commission members Frank Carlson, Al Combs and Wendell Willard were present to discuss the U-Pick Apple policy amendments they worked on with Tim Clark. Amendments are as follows:

1. Change policy to be U-Pick Seasonal Sign Policy including picking season and tree cutting season.
2. Signs must be no larger than 4 square feet in area.
3. Signs must be removed by December 31<sup>st</sup> of each year.

On a Wallace/Warren motion, the Board voted unanimously to approve policy as presented. To view full policies see (Attachment A).

**TOWN CENTER WASTEWATER POLICY COMMITTEE** – Tim Clark gave a summary of the intention of the policy committee and explained initially the charge was set up to include seven voting members, four from the sewer district and three from outside the district. The BOS have received seven volunteer applications and only one resides outside of the district. The members discussed possibly changing the charge but ultimately decided it is important to have a diverse group for the policy committee. Tim Clark and Lucy Wallace suggested a Water Commissioner may be a good idea to have as a liaison or possibly a member. Ron Ricci said he has contacted the commissioners but has not yet received a response. All but one of the applicants was present and each briefly spoke on why they were interested in serving on the committee.

On a Clark/Warren motion, the Board voted unanimously to appoint the following in district voting residents: William Salter, Scott Hayward, Larry Yahia and Marie Fagan.

On a Clark/Wallace motion, the Board voted unanimously to appoint Patricia Jennings as the out of district voting member.

The Board members did receive another application earlier in the day from Leo Blair (out of district resident) but decided to hold off on appointing the two out of district positions until next meeting. This will allow more time for other volunteer forms to be submitted.

On a Clark/Wallace motion, the Board voted unanimously to set a deadline of December 10<sup>th</sup> for out of district vacant board appointments to be acted on at the December 15<sup>th</sup> meeting and for those interested to be present.

#### **SELECTMEN REPORTS –**

Lucy Wallace updated the Board on the status of the Home Rule Petition for the sewer. She said she spoke with Katie Green from Representative Jen Benson's office and she confirmed approval would be completed during informal session and should be signed by the end of year.

Ron Ricci reminded board members of the all boards meeting to be held on January 5<sup>th</sup> at 7:30pm following the regular meeting. Ricci again confirmed he would attend the DEC meeting on Thursday, December 3<sup>rd</sup> and stated all documents related to the Evergreen Solar noise issue are located on the DEC website <http://www.devensec.com>.

**ELIGIBLE PURCHASER CERTIFICATE –**

On a Wallace/Clark motion, the Board voted unanimously to authorize the chair to sign the purchaser certificate.

\*\*\*\* On a Wallace motion, the Board voted unanimously by a roll call vote (Clark – AYE, Wallace – AYE, Ricci – AYE, Warren – AYE) to enter into executive session at 9:30pm, as authorized by Chapter 39, Section 23B of the Massachusetts General Laws, at a meeting for which 48-hours notice has been given, to consider the discipline or dismissal of municipal employees and to discuss the potential purchase of real estate. Following the executive session, the Board will reconvene into open session, for the sole purpose of adjourning. \*\*\*

The meeting was adjourned at 10:45pm.