



**Board of Selectmen
Minutes
April 27, 2010
Town Hall Meeting Room**

The meeting was called to order at 7:00PM by Chair, Ron Ricci in the Town Hall Meeting Room. Ron Ricci, Lucy Wallace, Tim Clark, Peter Warren and Marie Sobalvarro were all in attendance.

**ENTERTAINMENT LICENSE PUBLIC HEARING
Apple Blossom Festival – Ayer Rotary Club**

Chairman Ron Ricci opened the hearing by reading the hearing notice and then invited Vice Chair of the event Bill Spacciapoli to come forward. Mr. Spacciapoli said the event will have 70 vendors, a sound truck as in years past, Nashoba Valley Concert Band, Dixieland Band and possibly four or five other bands. He explained the festival is the Rotary Clubs largest fundraiser which allows them to continue to support local scholarships and activities. Ron Ricci explained the hearing was required for the initial issuance of the Entertainment License but would not be required in the future. On a Wallace/Warren motion, the board voted unanimously to close the public hearing. On a Wallace/Warren motion, the board voted unanimously to grant an Entertainment License for the Apple Blossom Festival on May 8th.

MINUTES – On a Warren/Sobalvarro motion, the board voted unanimously to approve minutes of 3/30, as presented.

On a Wallace/Warren motion, the board voted unanimously to approve minutes of 4/6, as presented.

On a Wallace/Sobalvarro motion, the board voted unanimously to approve minutes of 4/12, as presented.

CONSERVATION COMMISSION APPOINTMENT – Chairman Paul Willard was present to introduce Lewis Beilman for appointment to the commission as an associate member. Beilman spoke briefly about his qualifications. On a Warren/Wallace motion, the board voted unanimously to appointment Lewis Beilman as an associate member to the Conservation Commission.

4TH OF JULY APPOINTMENTS – Marie Sobalvarro updated the board on the 4th of July events. She said the fireworks are set for July 2nd, parade for July 3rd and shirts will be sold at the Annual Town Meeting. She presented a list of volunteers to be official appointed. She explained some volunteer forms have not yet been submitted but will be within the next week. Sobalvarro said the next meeting would be held on Sunday May 9th at the Hildreth House.

On a Wallace/Sobalvarro motion, the board voted unanimously to appoint those listed on sheet dated April 27th adding Sherry Graham as members of the 4th of July committee subject to submission of volunteer forms within the next week.

DEAN'S HILL CONSERVATION RESTRICTION – Conservation Commission member Wendy Sisson was present to provide a brief overview of the restriction and request approval from the board. Sisson reported the restriction has been agreed upon by the commission as well as the Conservation Trust and reviewed by Town Counsel Mark Lanza. The board members took some time to review the document and ask a few questions. Sisson explained Dean's Hill is a 32 acre parcel between Prospect and Depot Roads. The parcel abuts the Town of Harvard Prospect Hill conservation lands to the north and to the east. Acquisition of the property met several of the goals described in the Town of Harvard 2004-2009 Open Space and Recreation Plan: protecting scenic vistas, preserving historical agricultural land, and protecting wildlife corridors to encourage biodiversity and mitigate the fragmentation of habitat. The acquisition also offers recreational benefits, allowing existing trail networks to be linked.

On Wallace/Warren motion, the board voted unanimously to authorize the chairman to sign the restriction.

On a Wallace/Sobalvarro motion, the board voted unanimously to approve Conservation Restriction on Deans Hill as presented tonight.

HISTORICAL COMMISSION – Commission member Roseanne Saalfield attended the meeting to present the signs made to mark the boundaries of the two historical districts in town. She explained members of the commission walked the boundaries with the DPW Director Rich Nota and determined that the six new signs would be placed in the following locations:

Harvard Common Historic District:

- East side of Mass Ave/Rte 111 on the lawn of Bromfield House
- West side of Mass Ave/Rte 111 to the immediate east side of Town Hall
- North side of Oak Hill Road just west of the intersection of Oak Hill and Woodchuck Hill Road
- South side of Still River Road just east of St. Theresa's church

Shaker Village:

- South side of South Shaker Road approximately opposite houses number 99 and 101.
- West side of Shaker Road approximately 3/10 of a mile past the entrance to the Shaker Hills Golf Club.

On a Wallace/Sobalvarro motion, the board voted unanimously to approve signs as presented this evening and locations. The board thanked the commission for their efforts and complimented them on the design.

HARVARD COMMONS CONDOMINIUMS – Lucy Wallace explained an affirmative marketing and buyer's selection plan must be approved prior to the sale of an affordable unit. The board reviewed the plan making a few minor corrections and suggestions. They added to list of papers to be advertised in and asked for the municipal employee eligibility to include volunteers such as ambulance and fire fighters.

On a Wallace/Warren motion, the board voted unanimously to authorize the chair to sign letter subject to amendments made.

VENDOR LICENSE – Tim Bragan informed the members of a request from resident Charlene vande Vaart to hold a town wide lemonade stand on either June 6th or 13th to benefit PMC riders/groups riding for two particular children. Both children are battling two different forms of cancer. On a Wallace/Sobalvarro motion, the board voted unanimously to approve the request.

HARVARD GENERAL STORE LIQUOR LICENSE – Tim Bragan presented the board with documentation from the Board of Health, Building Inspector, Police Chief and Fire Chief reporting the progress the applicant has made in meeting set conditions. It was determined all conditions have been except the completed installation of the security system. Bragan informed the members they could endorse the license now but the issuance of the license would not occur until all conditions are met.

On a Wallace/Sobalvarro, motion the board voted unanimously to sign license for the General Store and hold pending sign off from the Police Chief regarding proper installation of security system and payment of fee.

PUBLIC COMMUNICATION – Paul Green, Old Littleton Road, said he was asked to speak on behalf of a group of Harvard citizens. He spoke eloquently about Selectmen Lucy Wallace’s dedicated 25 years of service on various official boards and committees in Harvard. He spoke of her election to the BOS for 4 terms at the top of the ticket and her wealth of knowledge about the laws of Harvard and the Commonwealth of Massachusetts. He commented on her consistent preparedness for meeting, her patience, ability to stand up for what she believes even with high opposition, humble manner in victory and graciousness in defeat. He asked everyone to rise and give Lucy and her husband Jim Wallace a round of applause to show thanks and gratitude.

Willie Wickman, 27 Willow Road, presented a beautiful picture as a gift.

Lucy Wallace thanked everyone for coming and expressed her pleasure to have served the town and its residents over the years. She commented on the great legacy Harvard has created and encourages new families in town to become involved.

Wallace reflected on her experience as a Selectman stating the importance of respectfulness between board members. She said even though there are different views working together is essential. Her final words were asking the community to be respectful of their leaders and asking the leaders to be respectful of one another.

VICKSBURG SQUARE LETTER – Ron Ricci presented a letter he drafted to Robert Culver at MassDevelopment regarding the redevelopment of Vicksburg Square. He read the letter aloud. On a Clark/Wallace motion, the board voted unanimously to endorse the letter.

105 STOW ROAD – Victor Normand was present to explain the warrant article related to Great Elms 105 Stow Road. He first thanked the Selectmen for allowing him time to speak. He explained the article is requesting town meeting to relinquish their authority over the deed restriction to the Selectmen. On a Clark/Warren motion, the board voted unanimously to support article 39.

EDAT FINAL REPORT– Committee members Rich Maiore, Brian Smith, Elaine Lazarus, Bill Johnson and Michelle Catalina were present to respond to any questions board members had relating to their final report. Bill Johnson did apologize for the late delivery of the report acknowledging the lengthiness of it. Marie Sobalvarro said she had not yet had a chance to read the report and expects to have questions on Saturday. Lucy Wallace said she had a chance to skim through the report and indicated she has several questions. Her view regarding the additional police cost was it seemed misleading and she questioned the estimated revenue increase from additional Ambulance calls. She also commented on the lack of detail regarding the impact on zoning issues. Wallace acknowledged the amount of work the committee has accomplished but continues to be unsure how the report relates to the warrant article. She asked if the team planned on making a final vote on the article. Tim Clark complimented the team on their use of previous reports and expressed interest in the ETA (Economic Target Area) piece. He suggested the report characterize development as redevelopment taking into account what is already existing. Peter Warren commented on the dedication and determination of the team. He said in his opinion the report does comply with the warrant article. Lucy Wallace asked if the team had considered infrastructure upgrades and their impact to the other property owners within the target areas. Bill Johnson explained it is difficult to consider because no two sites are identical. Wallace stressed the importance to maintain equity. Elaine Lazarus pointed out all the commercial zones are equal and that the committee tried to reveal locations with the greatest potential to meet the desires of the public. Marie Sobalvarro asked if the numbers provided included predicated infrastructure costs. Tim Clark wondered if they had determined how many of the commercial space is owner occupied. He commented on considering the desire of a property owner as opposed to a tenant/landlord. Ron Ricci thanked the team for their efforts and appreciates their approach but has not yet had a chance to review the report in its entirety. If well thought out, he agrees there could be specific services Harvard does not have that could be considered. Rick Maiore explained the team approached the research by starting with what may be feasibility and then incorporated the desires expressed from the public after reviewing the survey results. Bill Johnson promised the final report would be posted to the website by Thursday, April 29th.

GRAPEVINE LICENSE – Tim Bragan presented the board with documentation from the Board of Health, Building Inspector, Police Chief and Fire Chief reporting the progress the applicant has made in meeting set conditions. After some discussion over the documentation provided the board agreed the applicant still has to meet outstanding conditions. Tim Clark referenced documentation dated back to 1973 and was unsure of the location and condition of the septic systems on the property and questioned if the houses adjacent to 285 Ayer Road were also connected in a shared system as indicated on an upgrade plan dated 2003. Tim Bragan said a permit was issued in 1974. He said he also spoke with Sanitarian Ira Grossman and he explained initially the septic permit was for the bank and retail buildings. He indicated Phase two was to include a supermarket. Clark felt there were discrepancies with the paperwork. Ron Ricci referenced the memo submitted by the Board of Health indicating all issues with the property were resolved. Lucy Wallace said it would have been helpful if dates were included in the memo and asked about frequency of inspections. Bragan and Clark confirmed inspection requirements are only necessary if complications not standard. Police Chief Ed Denmark was present and confirmed both applicants are working on their camera systems.

On a Wallace/Sobalvarro motion, the board voted unanimously to sign license and hold until Board of Health, Building Inspector, Fire Chief and Police Chief confirm conditions are met and fee is paid.

ATM WARRANT FINAL REVIEW & ASSIGNMENT OF ARTICLES – The board reviewed that final warrant and made the following motions:

On a Wallace/Clark motion, the board voted unanimously to support articles 2, 3, 4, 7, 9, 10, 15, 20, 21, 22, 23, 25, 26, 27, 28, 32, 33, 34, 36, 39, 40, 43, 46, 47, 48, 49, 50, 51, & 52.

On a Warren/Clark motion, the board voted to support article 16.
(Warren – Aye, Wallace – Aye, Ricci – Aye, Clark – Aye, Sobalvarro – Nay)

On a Wallace/Ricci motion, the board voted to support article 17.
(Warren – Aye, Wallace – Aye, Ricci – Aye, Clark – Nay, Sobalvarro – Nay)

On a Warren/Clark motion, the board voted to support article 35.
(Warren – Aye, Wallace – Aye, Ricci – Nay, Clark – Aye, Sobalvarro – Aye)

On a Wallace/Clark motion, the board voted to support article 37.
(Warren – Nay, Wallace – Aye, Ricci – Nay, Clark – Aye, Sobalvarro – Aye)

On a Wallace/Clark motion, the board voted to support article 45.
(Warren – Nay, Wallace – Aye, Ricci – Nay, Clark – Aye, Sobalvarro – Aye)

TOWN ADMINISTRATOR REPORT – Tim Bragan presented the board with the personnel policies & procedure changes regarding health insurance.

On a Wallace/Sobalvarro motion, the board voted unanimously to adopt amendments as presented by the personnel board.

On a Wallace/Sobalvarro motion, the board voted unanimously to go to the saver plans.

On a Wallace/Sobalvarro motion, the board voted unanimously to authorize withdrawal of \$339.00 from the Rantoul Trust account.

SELECTMEN REPORTS – Marie Sobalvarro announced the informational meeting to be held on Wednesday, April 28th by the Energy Advisory Committee regarding the Stretch Code.

Tim Clark announced the Talent Show to be held on Friday, April 30th and the Volunteer Fair to be held on May 15th at Volunteer's Hall.

Peter Warren thanked Lucy Wallace for her 12 years of service to the town and commented on the tremendous asset she had been.

Ron Ricci also thanked Wallace for her service and for assisting him with procedure as Chairman.

Ron Ricci asked board members if they could meet on Wednesday, May 5th at 9:00am following the Town Election. They agreed.

**** On a Clark motion, the Board voted unanimously by a roll call vote (Sobalvarro– AYE, Wallace – AYE, Ricci – AYE, Warren – AYE, Clark - AYE) to enter into executive session at 9:45pm, as authorized by Chapter 39, Section 23B of the Massachusetts General Laws, at a meeting for which 48-hours notice has been given, to discuss on-going union and non-union contracts. Following the executive session, the Board will reconvene into open session. ***

On a Wallace/Sobalvarro motion, the board voted unanimously to sign all union contracts.

The meeting was adjourned at 10:45pm.