



*Board of Selectmen
Minutes
June 22, 2010
Town Hall Meeting Room*

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

MINUTES – On a Ricci/Sobalvarro motion, the board voted unanimously to approve minutes of 5/25, as amended and 6/8, as presented.

SELECTMEN REPORTS – Bill Johnson reported contractor JJ Phelan has begun the Stormwater improvement project and estimates five of the six construction sites to be completed by August.

Johnson said he met with Steve Finnegan to discuss suggestions for the Devens Economic Analysis Team charter and membership. Mr. Finnegan intends to discuss these suggestions with the rest of his team, and will work with the Executive Assistant to post a request for additional volunteers to fill some missing skill sets on the team.

Johnson indicated Mr. Finnegan will be prepared for the July 20th meeting to finalize the team.

Johnson informed the board of his discussions with School Committee Chair Keith Cheveralls, Finance Committee Chair Bob Thurston and Capital Committee member Debbie Ricci to implement a working group focusing on the financial planning process and strategy. He expressed all parties' enthusiasm and willingness to move forward with the concept.

Marie Sobalvarro recommended the town establish a policy to decide the “who, when and where” regarding any local business advertising on the town website. She stated currently the website is not used as a public forum for advertising but mostly for town government. She suggested possibly adding a link to the Nashoba Chamber of Commerce. Ron Ricci clarified his initial idea to merely provide an avenue for small businesses to get some exposure. Bill Johnson wondered if there was any interest in town for businesses to create their own chamber but Peter Warren thought most businesses may already belong to the Nashoba Chamber of Commerce. Tim Clark expanded on the conversation adding the Agricultural Advisory Committee is working on a concept similar to this. The board instructed Sobalvarro to draft a policy for consideration at their next meeting.

Tim Clark reported he and Bill Johnson have been working on the Economic Development Committee model but have not yet had a chance to consult with the Planning Board. They are hopeful to do this quickly.

Ron Ricci reported on the Lymelite public forum he attended. He summarized the evening to be very informative and encouraged the board to consider sending a letter to our legislators in support of the bill currently up for consideration regarding Lyme disease in Massachusetts.

Marie Sobalvarro informed the public of the \$10 per car fee to enjoy the fireworks on July 2nd at Fruitlands. She explained the fee will go directly to the 4th of July Committee. She confirmed the parade will begin at 11:00am on July 3rd.

Peter Warren reminded the board members to be prompt with supporting documentation for agenda items. He stated items must be submitted by the Wednesday prior to meeting packages being sent.

Warren complimented the Fire Department for their “sweep” of events at the muster held in Sterling.

Warren recognized the three college students working for the Cable Committee this summer.

Warren asked Tim Bragan about the status of the new Open Meeting Law requirements. Bragan assured the board once guidelines have been finalized by the Attorney General’s office information will be provided but he indicated the possibility of the changes being delayed until November.

Warren told the board at the last meeting each month one Selectman will provide a liaison report to the board. Ron Ricci will go first.

TOWN ADMINISTRATOR – Tim Bragan informed the board of the following items:

1. Notice from land owners Karen Green & Gail Conlin of the tentative Purchase & Sales agreement they have for a lot on Prospect Hill Road. They are in Chapter 61A requiring right of first refusal to the town. Bragan has informed the Conservation Commission, Planning Board and Board of Assessors. The item will be acted on at the July 20th meeting.
2. New email training will be held on June 30th.
3. Presented a letter received from Beverly Rodriquez requesting an exception to the current Transfer Station guidelines regarding senior citizens. Tim Clark and Ron Ricci will review current policies and report back to the board.
4. The board is being asked by the Boxborough BOS to establish a regional study committee to address the deer population initial meeting is June 29th at 7:30pm. Ron Ricci will attend and report back to the board.
5. Alzheimer’s memory ride will be held on 7.24.2010 and they are working with the Police Chief.
6. A request has been made for horse crossing signs on Tahanto Trail before Warren Road fork and where they cross. Tim Bragan is working with DPW Rich Nota and Police Chief Ed Denmark on the request and will report back. Tim Clark asks to direct the Agricultural Advisory Committee to handle this.

ENTERTAINMENT LICENSE – HARVARD LIONS CLUB

On a Ricci/Johnson motion, the board voted unanimously to approve the Lion’s Club application and request as written dated June 15th.

COMMITTEE/BOARD ANNUAL RE-APPOINTMENTS –

On a Ricci/Johnson motion, the board voted unanimously to accept list as presented with noted changes. Tim Clark volunteered to be the Selectmen representative on the Montachusett Regional Planning Committee and the Montachusett Joint Transportation Committee.

Peter Warren acknowledged the recommendation from the Municipal Affordable Housing Committee to select Ron Ricci as the Selectmen representative. On a Johnson/Warren motion, the board voted unanimously to nominate Ron Ricci.

AMBULANCE APPOINTMENTS - Peter Warren addressed a letter received from Ambulance Director Steve Beckman requesting the appointment of John Breyer, Ezekeil Flaton and Walter Shaw as provisional members. Warren commented on the complete roster received from Mr. Beckman and expressed his concern over some of the names included. Warren requested the board appoint members through July 31st to allow ample time for him to review the roster with Mr. Beckman.

On a Clark/Johnson motion, the board voted unanimously to approve the appointment of the three members in Steve Beckman's letter and the provisional roster submitted by the Ambulance Director Steve Beckman dated June 21st until July 31, 2010.

ANNUAL EMPLOYEE APPOINTMENTS – On a Clark/Ricci motion, the board voted unanimously to approve employee list dated June 22, 2010.

Tim Bragan announced the two Finance Committee positions up for re-appointment in FY2011. He indicated the positions are advertised on the town website and encouraged interested residents to submit volunteer forms to the Selectmen's office by July 20th.

HISTORICAL COMMISSION APPOINTMENT –Historical Commission Chair Jonathan Feist was present to introduce Ken Swanton as the commission's choice for appointment to fill the vacant alternate member. Ken Swanton just moved to Harvard from Bolton and has volunteered for many years and is excited to continue in Harvard. On a Clark/Johnson motion, the board voted unanimously to appoint Ken Swanton as alternate member on the Historical Commission.

4th OF JULY COMMITTEE APPOINTMENT –On a Sobalvarro/Clark motion, the board voted unanimously to appoint Leslie Neville to the 4th of July Committee.

BARE HILL POND WATERSHED MANAGEMENT COMMITTEE –

Committee member Jeff Ritter was present to introduce Mark Hardy and Deborah Pierce as the committee's recommendations to fill the two vacancies on the committee. Hardy said he has a passion for the pond and Pierce said as a science teacher in Harvard she sees the pond as an enormous asset. On a Clark/Sobalvarro motion, the board voted unanimously to appoint Mark Hardy to the Bare Hill Pond for a two year term expiring in 2012. On a Clark/Sobalvarro motion, the board voted unanimously to appoint Deborah Pierce to the Bare Hill Pond Committee for three year term expiring in 2013.

NASHUA RIVER WATERSHED ASSOCIATION WILD & SCENIC RIVER DESIGNATION – NASHUA RIVER – Town Administrator Tim Bragan presented a letter of support for the board to consider because this item was discussed at a previous meeting. Bill Johnson expressed strongly his desire to notify all abutters within a quarter mile of the Nashua River of the moratorium they will be under for the three years while the study is being conducted. Marie Sobalvarro agreed. Tim Clark wondered how the board could effectively communicate with abutters expeditiously. He suggested NRWA possibly handle this so they can accurately answer questions. Ron Ricci understood the

study would not abridge any property owner's rights. Johnson was unsure of that. Johnson said he would work with Tim Bragan and Al Futterman from NRWA.

FINALIZE 2011 TOWN MEETING DATE – Ron Ricci favored a date in May, Marie Sobalvarro and Tim Clark preferred March 26th. Sobalvarro made the following motion as a compromise: On a Sobalvarro/Clark motion, the board voted to set the 2011 Annual Town Meeting date for April 2. (Clark – Aye, Sobalvarro – Aye, Warren – Aye, Ricci – Abstain, Johnson – Abstain)

APPROVE MUNICIPAL BUILDINGS COMMITTEE CHARGE & APPOINTMENTS – Peter Warren presented the board with a list of five names for appointment to the committee and the final charge for approval. On a Clark/Johnson motion, the board voted to appoint Ron Ostberg, Pete Jackson, Doug Coots, Lucy Wallace and Willie Wickman.

Warren read the following charge:

1. The Municipal Building Committee shall develop recommendations for the space optimization, reuse and renovations of Town owned buildings, the Town Hall with town offices, Old Fire Station, Old Library, and Hildreth House for municipal government offices, community center, senior center and/or such other uses as may be appropriate, including lease or sale.
2. The Committee shall develop a recommendation to improve parking and pedestrian access for the above mentioned town buildings.
3. The Committee shall work closely with the Capital Planning Committee to establish a budget/plan for all proposed renovations, additions, sales and/or lease/acquisitions.
4. The Committee shall report quarterly to the Board of Selectmen with a final report and recommendations to the Board, Finance Committee, and Capital Planning Committee at least 60 days prior to the Annual Town Meeting.

The board agreed to add lease/acquisitions to number three. Ron Ricci said he was comfortable with the charge because he was assured his concerns will be addressed as requested at the June 8th Strategic Planning Session. On a Johnson/Clark motion, the board voted unanimously to approve the charge as amended.

HARVARD TECHNOLOGY ADVISORY COMMITTEE – Ron Ricci reported he and Tim Clark have begun to discuss the committee and are on target to have a draft for the July 20th meeting. He asked the other board members to submit their input to Tim Bragan.

GENERAL STORE LIQUOR LICENSE CHANGE OF MANAGER REQUEST – Current manager Lynn Horowitz was present and explained due to her husband's recent

employment in London they both will be relocating there. She explained they have recently partnered with Harvard residents Doug Coots and Amy Bernhardt. Amy Bernhardt was introduced by Horowitz. Bernhardt expressed her enthusiasm about taking on this role and assured the board members she will follow conditions previously agreed upon. On a Ricci/Johnson motion, the board voted unanimously to approve the request for a change of manager.

ECONOMIC DEVELOPMENT COMMITTEE UPDATE – Bill Johnson said he has spoken with Tim Clark and Planning Board member Kara Minar on the subject but has not been able to meet with the Planning Board as a whole since all of their meetings have been cancelled until July 19th. He provided the board with a document including notes from those conversations including a basic idea of the make up, sub-team thoughts and possibly establishing formal liaisons to the BOS and Planning Board. Tim Clark spoke of the importance to involve a diversity of participants beyond the BOS and Planning Boards. He even suggested former BOS or Planning members as an option. Marie Sobalvarro asked when they expected to present a mission and goals. Johnson would like to present a stowhorse charge for discussion, but this is dependent on the whether a working session with the Planning Board can be organized before then.

SIGN LETTER TO DEPT. OF REVENUE – Tim Bragan presented a letter requesting that the Department of Revenue’s Division of Local Services conduct a management/financial management review of the town. On a Clark/Johnson motion, the board voted unanimously to endorse letter presented.

JBOS DISCUSSION – Marie Sobalvarro suggested the board discuss adopting a policy as Shirley has to designate one member of the board attend the JBOS meeting and then report back to the BOS at which time if a vote is required it be taken at a regular BOS meeting. She provided a copy of the initial MOU established regarding the operation of JBOS as a reference. Tim Clark commented deliberations not being public and this may provide better communication. Sobalvarro spoke about the fundamental issue being how votes are calculated. Johnson questioned the impact of current JBOS voting behavior and Sobalvarro encouraged the board members to review the MOU to determine future behavior on how votes are to be handled. Peter Warren said the manner in which JBOS has run over the past two years has not changed and he feels all participants have ample opportunity to express thoughts. He is reluctant to change the process fearing nothing will get accomplished. Tim Clark raised the question is there a chance JBOS could misrepresent the town. Ron Ricci views the JBOS mostly as a discussion group for the three communities. On a Sobalvarro/Clark motion, the board voted to designate a BOS representative but the board will not take official position/action until issue is taken up at a regular BOS meeting. (Sobalvarro – Aye, Clark – Aye, Warren – Nay, Ricci – Nay, Johnson – Abstain) Bill Johnson suggested encouraging Shirley to bring all their members back to the table. Sobalvarro confirmed this to be an agenda item for the Thursday meeting. All members agreed to continue the discussion then.

DEVENS PUBLIC SAFETY BUILDING – Board members briefly discussed the proposal of a new public safety building in Devens. Peter Warren stated Ayer sent a letter opposing the project and he opposes the idea of a regional dispatch office being located

within that building. He feels it should be located in a free standing building. Tim Clark reviewed the plans and agrees it is a significant undertaking and the plan is not clear how the existing building will be incorporated. The item will be discussed further at the JBOS meeting on Thursday.

**** On a Clark motion, the Board voted unanimously by a roll call vote (Johnson– AYE, Sobalvarro – AYE, Ricci – AYE, Clark – AYE, Warren - Aye) to enter into executive session at 10:00pm, 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 litigation and to also discuss non-union contracts. Following the executive session, the Board will reconvene into open session only to adjourn. ***

The meeting was adjourned at 11:15pm.