



**Board of Selectmen**  
**Minutes**  
**Tuesday, July 20, 2010, 7:00pm**  
**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. Town Administrator Tim Bragan and Executive Assistant Julie Doucet also present.

**MINUTES** - On a Johnson/Sobalvarro motion, the board voted unanimously to approve the minutes of 6/22, as amended.

On a Sobalvarro/Ricci motion, the board voted unanimously to approve 6/22 & 6/25 executive session minutes, as presented.

**SELECTMEN REPORTS –**

**Economic Development Committee (EDC)** - Bill Johnson reported the Planning Board met and voted to appoint Kara McGuire Minar and Joe Sudol as their representatives for the committee. He is now working toward setting up a meeting with the four representatives to formalize a charge to be approved at the next Selectmen's meeting.

**Financial Planning Process and Strategy** - Bill Johnson said he and Marie Sobalvarro met with representatives from the Finance, Capital and School Committees to brainstorm the idea of including in the financial planning process a long term plan to go along with the long term forecast. They plan to identify initiatives and a timeline. Johnson is optimistic considering the enthusiasm expressed. The next step will be to meet with the Town Administrator and Finance Director hopefully the third week of August. Johnson said the concept will be discussed further at the All Boards meeting with the Selectmen taking the leadership. Marie Sobalvarro suggested the BOS members attend Finance Committee meetings to understand the details of the budget.

**Bare Hill Pond Stormwater Management Project** – Bill Johnson reported the project is progressing ahead of schedule. He indicated real time improvements may result in change orders but to this point they are under spending the budget. He mentioned a discussion he had with Jane Pierce from the EPA regarding the Clean Water Act section 319 program and suggested ways the town may utilize unexpended funds by expanding the project. Marie Sobalvarro reminded Johnson the funds could also be returned to the CPC fund. Johnson did say this was an option as well. Tim Clark asked about the on-going investigation at beach near the boat ramp and if this will be reevaluated. Johnson explained the grant program is a three year process which would allow the pond committee ample time to explore the issue after the stormwater project is complete. Johnson acknowledged the committee will have to go back to the Conservation Commission if there is any deviation from the initial plan approved.

Tim Clark provided a brief legislative update. He attended Representative Jen Benson's monthly meeting on June 30<sup>th</sup>. A few points he touched on were: Governor signed the

budget; Lyme disease bill passed and based on the current budget no 9C cuts. Ballot questions to be considered: repeal 40B; eliminate biomass energy plants, reduction of state sales tax and elimination of alcohol tax. Ron Ricci asked if Representative Benson expressed her position on the repeal of 40B. Clark said she agreed change is needed but did not go into detail.

Tim Clark reported he met with the boy scouts who will be reconstructing the current shed at the Transfer Station. Once a final plan is in place they will seek approval from the DPW Director and the Board of Selectmen.

Clark also commented on the improvements made to the snowmobile trail on Depot Road. He said a ribbon cutting ceremony will be held in the fall.

Peter Warren asked if there have been any change to the rules concerning the Take it or Leave it section at the Transfer Station. Tim Clark and Tim Bragan confirmed there are no official rules for that area. The Transfer Station attendees on duty police the area.

Ron Ricci provided the following liaison updates:

- School Committee** - HTA contract for this year finalized  
Interested in having a liaison to the DEAT  
Education/outreach on Lyme disease
- Board of Health** - Board interested in taking the lead with the education/public outreach regarding Lyme disease and how controlling the deer population may help.
- Police Department** – Reviewed traffic control for the 4<sup>th</sup> of July fireworks. Stress on the department further discussion on alternate ideas for next year. The department is working on the new email system that was implemented in July.
- Veteran’s Agent** - Confirmed office hours to be on Tuesdays 12:00pm – 7:00pm in the former library. He is currently working on administrative items that need to be addressed.
- Vicksburg Square** – Spoke with Ed Starzec from MassDevelopment. He confirmed Trinity is the developer who has been chosen. Trinity will reach out to the Ayer Board of Selectmen first. JBOS will discuss further on Thursday, July 22<sup>nd</sup>. Ricci anticipates the Vicksburg Square sub-committee will meet in the next few weeks. Ricci confirmed 275 units is the number at this time.
- Deer Control Population** – Attended meeting/ possible regionalization

**FINANCE COMMITTEE APPOINTMENTS** – Moderator Bob Eubank presented John Sullivan and George McKenna for re-appointment to their posts for an additional three year term. Both candidates expressed their interest in continuing on the committee. Marie Sobalvarro asked if the candidates agreed to televised Finance Committee meetings to provide increased access to the committee. Both candidates had no objections to the proposal. The moderator said he will announce appointments immediately.

**TOWN ADMINISTRATOR REPORT** – Tim Bragan reported on the following:

- Karen Green and her sister Gail Conlin have withdrawn their request for 61A release.
- The Email switchover has occurred and there have been a couple of glitches and they are being worked out. Julie Doucet and Tim Bragan took a web class regarding posting agendas and material to the web and will be looking at it to help get the agenda and accompanying information out to the world.
- Letter received from Division of Local Services stating that the requested financial management review would begin around January 2011. This could be delayed depending on the impact of the FY2011 budget cuts.
- Bids for the bailers came in and one company, JRS won the bids for the bailers and bought all of them for \$3,025, and the bailing wire went to Carlson Orchards \$150.
- Confirmed September 14, 2010 all boards meeting.
- Vacation schedule: week of July 24 Julie Doucet and week of August 23 Tim Bragan.
- The board agreed to stay with the schedule as is for August and September.

**AMBULANCE APPOINTMENTS** – Peter Warren updated the board on his meeting with Ambulance Director Steve Beckman and squad member Bonnie Sweeney. They reviewed the roster and determined all members listed are in good standing. Warren is confident the Director is addressing the missed calls issue and will continue to make improvements. Warren indicated the roster presented is similar to the previous roster with the addition of all the drivers as well as the three individuals appointed at the last meeting separate from the roster. On a Clark/Johnson motion, the board voted unanimously to appoint ambulance squad as listed on sheet dated 7.15.2010 with a term expiring on June 30, 2011.

**PERSONNEL BOARD APPOINTMENT** – Board member Victor Normand was in attendance to introduce Judith Gustafson for appointment to the board. He stated she will be a great asset due to her extensive experience in human resources over the past twenty five years and strongly recommends her for appointment. Gustafson spoke briefly about her experience and expressed her enthusiasm to serve as a board member. On a Clark/Sobalvarro motion, the board voted unanimously to appoint Judith Gustafson to the Personnel Board with a term expiring in 2012.

**MART REPRESENTATIVE APPOINTMENT** – Town resident and current Council on Aging MART van driver Robert Hughes was present to express his interest in representing the Town on the MART Advisory Board for the upcoming fiscal year. COA Director Ginger Quarles granted her approval to his nomination confirmed Executive Assistant Julie Doucet. On a Ricci/Johnson motion, the board voted to appoint Robert Hughes as the MART representative. (Warren, abstain)

**DEVENS ECONOMIC ANALYSIS TEAM (DEAT)** – Residents Steve Finnegan, Victor Normand, Paul Green, Duncan (Sandy) Chapman and Orville Dodson all submitted volunteer forms to the Selectmen's office and were present. Willie Wickman also submitted a volunteer form but was unable to attend the meeting. Each candidate

spoke briefly to express their interest and explain skills they possess that may be beneficial to the committee. Ron Ricci was adamant the School Committee should have a say in the participants chosen. Marie Sobalvarro commented on the past experience Willie Wickman can bring to the committee bearing in mind her service on the School Committee in the past. Steve Finnegan thanked the BOS for their time and articulated his enthusiasm to get started. The Selectmen discussed their views on the number of committee members required. Bill Johnson stressed the importance of appointing members who have specific skills sets. Finnegan said he is confident in the volunteers presented tonight. Ron Ricci made a motion to appoint volunteers present and leave a slot open for the School Committee to recommend an appointment. **Tim Bragan said a liaison from other committees such as the School Committee is essential.** Steve Finnegan suggested the appointees from tonight meet and discuss the focus in more detail with a goal to come back to the BOS with a final number for the committee size. On a Ricci/Johnson motion, the board voted unanimously to appoint individual presents.

**DPW BID AWARD FOR ROADWAY MATERIALS** – On a Ricci/Clark motion, the board voted unanimously to accept bid from Massachusetts Broken Stone Company per request dated July 2, 2010.

**HARVARD GENERAL STORE BEER & WINE LICENSE** - On a Sobalvarro/Ricci motion, the board voted unanimously to sign beer & wine license for the Harvard General Store with new manager Amy Bernhardt.

**HARVARD COMMON CONDOMINIUMS REGULATORY AGREEMENT** – Tim Bragan confirmed the agreement was reviewed and approved by Town Counsel Mark Lanza. Adam Costa from Blatman, Bobrowski & Mead was present to answer any questions board members had. He explained the agreement is standard for every 40B project. On a Clark/Ricci motion, the board voted unanimously to endorse deed rider submitted July 14, 2010. Tim Clark reminded the board members that in the past the Housing Partnership was involved in developments such as this. He suggested the board address the status of the Housing Partnership and Housing Authority in the near future.

**STATE PRIMARY WARRANT** - On a Clark/Johnson motion, the board voted unanimously to sign the State Primary Warrant for Tuesday, September 14, 2010.

**NASHUA RIVER SCENIC & WILD RIVER DESIGNATION** - Tim Bragan reported an abutters notice was sent to direct abutters of the Nashua River informing them of the study. Bill Johnson asked if any abutters contacted the Selectmen's office. Bragan said he received a few responses and found the abutters to be satisfied with the explanations. Jamie Fosburgh, National Park Service Northeast Region Rivers Program New England Team leader was in attendance to field questions. He explained the three year study is a trial period in which protections will be in place. The designation would provide protection of the river, preserving the free-flowing condition, and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. The Wild & Scenic Rivers Act encourages river management that crosses political boundaries and promotes public participation in developing goals for

river protection. On a Clark/Ricci motion, the board voted unanimously to approve a letter showing support for the study.

**HARVARD TECHNOLOGY ADVISORY COMMITTEE** - Tim Clark spoke with local residents Ben Meyers and Harry Jacobson who are interested in participating. The board agreed the vision for the committee is to serve as a resource team for the town departments acting through the Town Administrators office. Tim Bragan said he is happy with the concept and excited to have the ability to seek advice in various areas. He is confident this will improve productivity. Tim Clark asked board members to endorse the following five bullet points as the basic model:

- Ensure optimum use is being made of existing resources.
- Recommend additional training, minor system upgrades and work process changes. Help implement the recommendations as requested.
- Review and recommend modifications/amendments to Town Website for improved retail services (online tax bills, licenses etc). Provide implementation assistance as requested.
- Provide technical guidance for best use of technology funds. Assist in development of capital plan for technology upgrades for all departments where applicable.
- Develop policies and procedures to ensure integrity and security of all electronic data kept by town.

On a Johnson/Clark motion, the board voted unanimously to endorse direction and leave implementation to the Town Administrator.

**JBOS VOTING POLICY**– The board continued their discussion from the last meeting on setting a Harvard Board of Selectmen policy regarding voting at the JBOS meetings. Marie Sobalvarro asked the board to again consider creating a policy where no selectmen will vote officially until discussion on a subject is discussed at a regular Selectmen meeting. Her greatest concern is to be certain the public is informed of any decisions made. Ron Ricci and Peter Warren were reluctant to make a change. Tim Clark was in agreement with Sobalvarro. Bill Johnson suggested only two members attend. On a Sobalvarro/Clark motion, the board voted to not post Harvard Board of Selectmen during the JBOS meeting but all strive to attend and actively participate. (Ricci - Abstain, Warren – Aye, Clark – Aye, Johnson – Aye, Sobalvarro – Aye)

**FY2011 BOS GOALS** - On a Ricci/Sobalvarro motion, the board voted unanimously to accept FY2011 goals as presented.

On a Ricci/Sobalvarro motion, the board voted unanimously to accept goals letter as the 3<sup>rd</sup> revision.

\*\*\*\* On a Sobalvarro motion, the Board voted unanimously by a roll call vote (Sobalvarro – AYE, Johnson – 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 10:15pm.

Documents referenced:

- **PERSONNEL, MART & DEAT APPOINTMENTS** - Volunteer forms from Judy Gustafson, Robert Hughes, Steve Finnegan, Paul Green, Sandy Duncan, Willie Wickman, Orville Dodson, Victor Normand
- **AMBULANCE APPOINTMENTS** - Ambulance roster dated 7.15.2010
- **DPW BID AWARD FOR ROADWAY MATERIALS** – Award letter dated 7.6.2010
- **HARVARD GENERAL STORE BEER & WINE LICENSE** – 2010 annual license
- **HARVARD COMMON CONDOMINIUMS REGULATORY AGREEMENT** – Regulatory Agreement dated 7.14.2010
- **STATE PRIMARY WARRANT** – State Primary Warrant – September 14, 2010
- **NASHUA RIVER SCENIC & WILD RIVER DESIGNATION** – Abutters notice & approval letter dated July 13, 2010
- **HARVARD TECHNOLOGY ADVISORY COMMITTEE** – Technology draft charter dated 7.14.2010
- **FY2011 BOS GOALS** – Goals & letter inviting boards to the all boards meeting dated 7.21.2010