



**Board of Selectmen
Minutes
Tuesday, August 3, 2010, 7:30pm
Town Hall Meeting Room**

The meeting was called to order at 7:30PM by Chair, Peter Warren in the Town Hall Meeting Room. Selectmen Peter Warren, Marie Sobalvarro, Ron Ricci and Bill Johnson were all in attendance as well as the Town Administrator Tim Bragan and Executive Assistant Julie Doucet. Selectmen Tim Clark was absent.

SELECTMEN REPORTS -

Stormwater Project update – Bill Johnson reported the Bare Hill Pond Committee is cancelling their August 17th weed pull due to the success of the previous pulls in removing the invasive water chestnuts. Johnson said the stormwater project is progressing efficiently. He explained the only set back thus far has been due to the large rain storm which blew out several detention areas. He said DPW Director Rich Nota met with design engineers immediately to correct the situation moving forward. Marie Sobalvarro asked about the status of the dredging to be completed in the swimming area. Johnson said the committee plans to go before the Conservation Commission in September to begin the NOI process. He is hopeful the dredging will be approved and if so it will be done over the winter.

Vicksburg Square sub-committee update - Ron Ricci reported Ayer Selectmen Jim Fay will be approaching the developer to request his attendance at the next JBOS meeting.

All Boards meeting - Peter Warren confirmed he has spoken with Library Trustee Pete Jackson and the All Boards meeting will be held at Volunteer's Hall on September 14th.

Liaison report – Peter Warren scheduled Marie Sobalvarro to provide her liaison reports at the August 17th meeting.

TOWN ADMINISTRATOR REPORT –

Tim Bragan reported the Elderly & Disabled Taxation Aid Committee is requesting the Selectmen vote to authorize the transfer of \$5,000 from the Rantoul Trust account to assist in funding the program. He explained due to decreased donations the committee is unable to award assistance at this time. The board will review fund details and take a vote at their August 17th meeting.

Bragan said the home rule petition for the easement on conservation land passed on Saturday and is awaiting the Governors signature.

Bragan reported a Dispatcher has resigned for personal reasons and the Police Chief will follow up regarding the next steps he will take to fill the vacancy.

Bragan reminded the board to RSVP if they will be attending Carlson Orchards solar array ribbon cutting ceremony on August 13th.

Bragan confirmed the September 14th date for the All Boards meeting. He indicated he and Finance Director Lorraine Leonard have begun work on the 5 year financial planning calendar. Bill Johnson anticipates a meeting with them on August 10th or 11th to review their work with the Financial Planning task force.

Bragan announced the Town Hall will close at 12:00pm on Wednesday, August 18th.

TOWN CENTER SEWER PROJECT UPDATE – Town Center Sewer Building Committee Chairman Chris Ashley was pleased to report the town has received preliminary approval for SRF funding from the state. He explained Tim Bragan prepared a letter which was sent to the Director of Municipal Services at DEP Steve McCurdy expressing interest in the program and to inquire about the next steps. Ashley anticipates setting up a borrowers meeting to discuss the details related to requirements and deadlines. The committee has begun to prepare by meeting internally with town department heads. He indicated the next important date to be met is October 15th when all necessary permits and final designs must be in place. Ashley referred to the financial circuit breakers agreed upon by the town, and the committee's responsibility to inform the community at the 2011 Annual Town Meeting if any issues arise.

Circuit breakers

- Financing rates become unfavorable as determined by the selectmen (impacting taxpayer and private cost projections)
- The average private betterment projection increases by more than 15%
- The cost/taxpayer projection increases by more than \$10/household.
- Projected or actual connection rates and the resulting private contribution to plant O&M expenses falls significantly below survey rates.

Ashley expects the following timeline to be sufficient and requested the Selectmen authorize the committee to follow as described:

1. finalize SRF funding
2. go out to bid in December
3. address any financial circuit breakers issues
4. prepare for ATM (if necessary)
5. schedule construction (possibly summer of 2011)

Marie Sobalvarro asked if the committee anticipates any issues with the circuit breakers. Ashley is confident problems will not arise but recommends the town be ready to address at ATM if necessary. Bill Johnson wondered how long construction may take. Ashley estimated eight to ten weeks. Ron Ricci expressed concern in waiting to long to begin construction once a bid is accepted. He recommends acting quickly to secure the contractor. Ron Ricci asked about the results of the test borings relating to the ledge. Ashley indicated ledge will be an issue but nothing that was not anticipated. Peter Warren complimented the committee on their efforts and the Selectmen instructed the committee to proceed as discussed.

PUBLIC COMMUNICATION – Jeff Ritter, 118 Slough Road, expressed his gratitude to the board and the Town Administrator for allowing him the opportunity to intern with the town. He said this lead directly to his appointment as the Town Administrator for Hatfield. He said the town is fortunate to have Tim Bragan working for them.

APPROVE BID FOR SODIUM CLORIDE – On a Sobalvarro/Johnson motion, the board voted unanimously to award the bid for sodium chloride to Eastern Minerals Inc. at the price of \$56.97 a ton.

TOWN WEBSITE POLICY – Marie Sobalvarro said she reviewed several communities' policies. She stated the policy drafted is basically for a site that provides factual information, posting announcements for the benefit of town residents and general awareness. She recommended a link to the local chamber of commerce instead of links to direct local businesses. She asked if a policy is implemented should it pertain to other independent town websites such as the library, park & recreation and fire. Bill Johnson asked if she spoke with the webmasters for the other websites and she had not but thought that it made sense to do so. Peter Warren concurred. Ron Ricci was reluctant to set a standard policy for all. Johnson suggested possibly encouraging others to establish their own policies. The board agreed to finalize and approve the policy at their next meeting.

REVIEW PROPOSED TRANSFER STATION RULES & REGULATIONS – The board did not take any action on this item. Peter Warren suggested the board consider establishing senior/handicapped parking at the Transfer Station. The board will discuss at their next meeting.

REVIEW, DISCUSS & VOTE ON BOS POLICIES & PROCEDURES – The board reviewed the updated policies & procedures. On a Sobalvarro/Johnson motion, the board voted unanimously to approve the document with amendments discussed.

DISCUSS TOWN'S MEMBERSHIP IN THE SUBURBAN COALITION – Coalition member Stu Sklar was present and gave a brief description of the benefits to the town by enrollment in the coalition. He said the annual fee is \$250 and the agreement was the School Committee would pay one year and the Board of Selectmen the next and so one. He said the coalition has been in existence since the 80's and originally formed to provide a voice for the suburban communities located outside of Route 128. On a Johnson/Sobalvarro motion, the board voted unanimously to authorize payment of the annual membership fee. They also discussed who to appoint as liaisons. Sklar volunteered. Peter Warren said he would speak with the School Committee Chair Keith Cheveralls and make a formal appointment at the next meeting.

REVIEW, DISCUSS & APPROVE LETTER OF SUPPORT TO HAVE DR. ALLAN KUONG UTILIZE ADVANCED LIFE SUPPORT SKILLS ON HARVARD AMBULANCE – On a Johnson/Ricci motion, the board voted unanimously to authorize chairman and town administrator to sign letter to Phil Bonaiuto at the Department of Public Health Office of Emergency Medical Services.

DEVENS RECYCLING CENTER REQUEST TO OPEN ON SATURDAYS –

Peter Warren reported Devens residents have expressed concerns regarding an increase in operating hours for the recycling center with the major concern being traffic. He said other concerns regarding the center include rodent control, trucks traveling on prohibited roads and through residential areas, excessive trash on road where center is located and odor. Warren said he agrees with many of the concerns being expressed. Tim Bragan said the Selectmen's office has not received any calls regarding trash truck traffic on Ayer Road or any other road in Harvard. Bill Johnson commented on the concern expressed from residents during EDAT's research but Bragan reminded him this included all trucking not just trash trucks. Ron Ricci said he visited the facility and commented on the fair amount of trash on Independence Road. He said to extend the hours would be very troublesome for the residents in the area. He suggested the board draft a letter to the Devens Enterprise Commission (DEC) disapproving of the request for extended hours.

Public comment

Keena Keel, 22 Auman Street, Devens, said a number of problems have occurred since the center came to Devens. She expressed concern over safety for children with the increased truck traffic, rodent control issues, noise and odor. Keel said she has contacted the state police with her concerns.

Jay Thompson, 20 Auman Street, Devens, said he is a former employee and claims the map given to drivers includes the Barnum Road exit which is not allowable based on the unified permit established in May 2006. He said he has contacted the center about his concerns.

Armen Demerjian, 26 Auman Street, Devens said he is a business owner and has been a member of DEC since 2001. He indicated the reductions in the construction business due to the economy are what prompted the center to begin accepting municipal building waste. He commented on the large parcel of land located behind the facility which is a prime area for the rodents to nest and wondered why the Nashoba Board of Health has not been checking the facility. It was his understanding this was a part of the permit. He is unsure if this is not being done due to negligence or political pressure but it is concerning. He urged the board to write a letter to the DEC and speak with the Harvard representatives on the commission about their concerns.

Barbara Thompson, 20 Auman Street, has similar concerns about safety, traffic, trash and odor.

Deborah Skauen-Hinchliffe, 221 Still River Road, said she has attended most of the DEC meetings over the past year and a half and was told there is nothing they can do regarding the use of the Barnum Road exit. She was also assured by the end of April Nashoba Board of Health would be checking the facility but when she followed up with them this was not the case. She was told by Sanitarian Ira Grossman there is no current agreement

with the recycling facility. She urged the board to restrict the facility to their current operating hours and suggest they discontinue accepting municipal waste.

Peter Warren said he received notification from the state police indicating no issues have been reported and he received a copy of a rodent inspection schedule. He strongly urged residents to file formal complaints in the future. He also confirmed speaking with Ira Grossman who told him there was no agreement in place but due to on-going discussions he expects one shortly.

Bob Fico, member of the Devens Recycling Center management team, assured the public traffic issues are addressed immediately when brought to his attention. He said the facility has a complaint number on their website and to date has not received any complaints. He said he did receive a call from concerned resident Jay Thompson to which he responded promptly. He indicated residents can contact him at anytime.

Peter Warren asked why conditions set forth in the unified permit date May of 2006 were not being followed. Mr. Fico said to his knowledge conditions are being followed. Bill Johnson asked if the facility self monitors. Fico said it is a requirement each month and he has not observed any violations. He also commented on the rodent concerns stating the facility has weekly inspections and can provide documentation to support this. He said all trash is contained inside the facility. Fico explained the increase in hours was a request from their customers and they plan to remove more trash on Saturdays than take in. He said this will actually help in removing more trash, instead of it staying throughout the weekend. He again stated they are extremely diligent when it comes to traffic control and can not control trucks that are not going to their facility.

Peter Warren, Ron Ricci and Bill Johnson were in agreement a letter should be sent but Marie Sobalvarro was reluctant until she had more time to review documentation provided and DEC minutes over the past few months. She did not understand the urgency to act this evening. Warren explained DEC is meeting Thursday morning so a letter sooner than later is preferable. Warren suggested not supporting the request for six months to see if conditions may improve.

On a Ricci/Johnson motion, the board voted to draft a letter to DEC Chairman William Marshall, Harvard DEC representatives, Ayer Board of Selectmen, Devens Committee and MassDevelopment objecting to extending hours given concerns over traffic, noise, rodent control, odor and urge DEC to enforce existing unified permit.
(Ricci – Aye, Wallace – Aye, Johnson – Aye, Sobalvarro – Abstain)

The meeting was adjourned at 10:06pm.

Documents referenced:

APPROVE BID FOR SODIUM CLORIDE – Award letter dated 7.27.2010

REVIEW, DISCUSS & VOTE ON BOS POLICIES & PROCEDURES – Policies & Procedures dated 7.15.2010

TOWN WEBSITE POLICY – draft website policy dated 7.13.2010

**LETTER OF SUPPORT TO HAVE DR. ALLAN KUONG UTILIZE ADVANCED
LIFE SUPPORT SKILLS ON HARVARD AMBULANCE – Letter date 8.4.2010**