



**Board of Selectmen
Minutes
Tuesday, August 17, 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, Tim Clark and Bill Johnson were all in attendance as well as the Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

MINUTES - On a Ricci/Johnson motion, the board voted unanimously to approve the minutes of 7/20 & 8/3, as presented.

SELECTMEN REPORTS

Energy Advisory Committee – Tim Clark reported the committee is planning a fall public outreach program on the Green Communities Act.

Park & Recreation Committee – Tim Clark said the committee will be addressing the issue of allowing Devens residents use of Bare Hill Pond. He asked if the committee was interested in pursuing an MOU with MassDevelopment regarding possible shared recreation area. He said the committee will be discussing the issue at their next meeting.

Economic Analysis Committee – Bill Johnson reported him, Tim Clark, and Planning Board members Kara Minar and Joe Sudol met to discuss the committee’s charter. He provided copies of the proposed charter and team composition for the board members to review. He requested the charter be placed on the next agenda for discussion and possible approval.

Long Range Financial Planning meeting – Bill Johnson said a meeting was held earlier with representatives from the Capital Committee and Finance Committee to review an accelerated financial calendar and five year financial forecast. The documents will be reviewed at the Finance Committee meeting on August 19th. He also referenced a third planning concept which includes a multi year deficit reduction strategy across all departments. Johnson indicated the process, timeline and expectations will be the basis for discussion at the All Boards meeting.

Monthly liaison reports – Marie Sobalvarro

Finance Committee – Working on a reduced summer schedule meeting
August 19th will discuss upcoming budget year

Council on Aging – Seeking volunteers for handyman program
No fashion show this year

Historical Commission – Working with Cemetery Commission on article from ATM
Requested BOS survey boundary of historical district.

Note: Tim Bragan is working on this.

- Fourth of July Committee** – Regroup in January for coming year
 - Assisting with Ken Harrod Memorial Bike Ride
 - Continue with fireworks parking fee next year
 - Pursuing Corporate sponsorship
 - Budget balance: \$4,400
- Library** – Possible 10am-2pm Friday hours in the Fall
- Cultural Council** - Begin in the fall
- Cemetery** – Suggest BOS think about potential long term land acquisitions

Bill Johnson volunteered to report on his liaison assignments in September.

OLD LITTLETON ROAD CLOSURE FOR LONGBOARDING EVENT & COMPETITION - Town resident Mike Girard, 95 Pinnacle Road, came before the board to request closure of Old Littleton Road from Pinnacle to the town center on August 21st from 12:30pm-4:30pm for a long boarding event and competition. He explained the event will involve a sliding competition, flatland competition and a small race. He has spoken with Police Chief Denmark and Police Officer Hughes regarding the road closure and police details relating to the event. Girard has informed all residents along the section of road to get their permission. He provided a petition signed by neighbors in support of the event and left an informational form at residences where no one was home. He has also provided his cell phone number so residents can contact him with questions, concerns and a point of contact the day of the event to accommodate for situations when residents may need to leave their property. Girard said residents have been generally supportive of the event. Peter Warren asked if liability insurance is in place and Girard confirmed this. He also stated all participants must sign a release form and if under eighteen a legal guardian must sign. Girard added a co-sponsor of the event, Crest Tattoo, has offered their liability policy as well. Peter Warren said he has spoken with the Police Chief and Ambulance Director to confirm their support and department presence during the event. Tim Bragan asked about parking. Girard said parking will go along Mass Ave and at the elementary school. He will also have reserved spots at the former library. He said he has a number of event staff to assist throughout the day. Tim Clark suggested he notify Carlson and Westward Orchards concerning trucking. The board agreed to ask the Department of Public Works to street sweep the road prior to the event and to provide road closure signs and cones. The board applauded Girard's efforts and wished him well with the event. On a Ricci/Johnson motion, the board voted unanimously to close Old Littleton Road from Pinnacle Road to the town center from 12:30pm – 4:30pm on Saturday, August 21st.

PUBLIC COMMUNICATION – Planning Board Chairman Joe Sudol stated a member of the Board of Selectmen tried to influence his board to take specific action during a site plan review. He indicated this was not during a public hearing. He presented a letter received from the BOS member. Sudol asked if the member was instructed by the BOS because the letter implied it was from the BOS. Peter Warren said the BOS had taken no action on this issue and had no knowledge of the letter. Tim Clark said he was the

member who attended the meeting. Peter Warren suggested they discuss the issue at a later date. Joe Sudol said the letter was not accepted as public input. He asked if in the future a BOS member plans to attend and comment on an application some notice be given to the Planning Board. Tim Clark was adamant his position on this application was as a former Planning Board member and as a resident not as a representative from the Board of Selectmen. He found Sudol's comments to be troublesome.

Deborah Skauen-Hinchliffe, 221 Still River Road, asked the Chair which Planning Board application Mr. Sudol was referring to. Warren said 285 Ayer Road. She said she felt strongly the Selectmen should have no comment on this application due to a direct conflict of interest.

DEVENS RECYCLING CENTER – Owner Kurt Macnamara attended the meeting to clear up allegations made at the August 3rd meeting regarding his facility. He provided letters from Flynn Pest Control and Tech Environmental indicating their ongoing service to the facility addressing rodent and odor compliance. He also provided a letter and map given to all customers indicating the exact routes to be taken when entering or leaving the facility. Macnamara said Ira Grossman from Nashoba Board of Health had visited the site earlier today and was quite impressed with the operation. He commented on the importance Saturday hours will be for them and their customers. Macnamara said he personally has observed the truck traffic and has not seen any violations. He did comment on the number of trash trucks traveling through Devens to Route 2 that do not even go to their facility. He said the reason he came to the meeting was to clear up some misconceptions and to ask the board to reconsider their previous decision to not support the Saturday hours. Macnamara said he is willing to pay for independent studies relating to the rodents and odor concerns if so desired by the BOS. He indicated his willingness to participate in a broader forum to discuss concerns regarding truck traffic on Barnum Road. Bill Johnson thanked Mr. Macnamara for attending the meeting and expressed interest in taking him up on the offer to conduct a truck monitoring study. Tim Clark said MassDevelopment conduct traffic assessments at all their entry points. Marie Sobalvarro suggested as a business owner they join the Devens Transportation Management Committee as outlined in the unified permit. Johnson referenced the letters presented addressing the facilities cleanliness but not the areas outside of the facility. Macnamara stated the streets in the immediate area are cleaned daily. He again stressed the unfortunate misrepresentation that has fallen on the facility. Peter Warren did comment on the reduction of trash truck traffic on Ayer Road since the August 3rd meeting. He is hopeful with awareness conditions will continue to improve. Ron Ricci suggested outreach to the neighbors. Macnamara did say a public meeting was held with very little turnout. He said he would continue to monitor truck traffic 7:00AM-12:00PM three days a week until August 31st and will follow up regarding the Devens Transportation Management Committee. Macnamara said they plan to file a request for reconsideration at DEC's August 31st meeting. He apologized for not attending the August 3rd meeting and is hopeful all concerns have been addressed.

MUNICIPAL BUILDINGS COMMITTEE PILOT PROJECT – Committee members Ron Ostberg and Willie Wickman were present. Ostberg said through the summer the committee has slowed down a bit but plan to begin meeting twice a month starting in the fall. He reported the committee has organized a design team, community center team, Council on Aging team and town government team. He said each area is to a degree related to a specific building.

- Town government – Town Hall building
- Council on Aging – Hildreth House or old library
- Community Center – former library

Currently, the committee is looking for three volunteers with the following skill sets:

- A person in real estate to look at possible revenue generation from the old library and Hildreth.
- A professional in fundraising to look at grants, private fundraising and who is familiar with municipal financing.
- A person to assist with determining space utilization in town.

He reported the groups are making good headway with their first task to determine necessities for each area. Pete Jackson is working on the town hall, Lucy Wallace is working on Hildreth House and Willie Wickman is heading the group on the former library as a community center. Ostberg anticipates workshops to be held in the fall and hopes to provide recommendations to the BOS expeditiously considering the earlier date of the annual town meeting this year. He said Marie Sobalvarro is leading the overall financing costs including determining various alternative ways to raise money and is working with the Capital Planning Committee on this. The committee is open to meet with the BOS at their request.

Pilot Project

Willie Wickman explained the pilot project is to determine if there is a desire for, and the resources to create, a self-sustaining center for community and arts programming in the Former Library. The Committee members working on the project are Willie Wickman, Pam Cochrane, Angela Gaffney, Pat Jennings and Fay Martin. They anticipate the project to last for nine months and are expectant to determine if a community center program can be self-funded while satisfying the diverse interests of Harvard residents. Wickman said on Tuesday, August 24th a public input and discussion session will be held and a soft launch the weekend of September 18th. The soft launch will allow the building to be open for walk-throughs/open house. They will hold an opening gala in late September early October and anticipate the program to begin on September 20th. The committee will provide monthly public data trend reviews to commence on Monday, November 1st and every first Monday of the month thereafter for duration of pilot project. In early January 2011 a mid-pilot status report will be given to the Municipal Buildings Committee and a final report to be incorporated into the MBC report to BOS and ATM. They anticipate the program to be completed in the spring.

The Selectmen were all very supportive of the initiative and provided the following comments/suggestions:

- Ron Ricci commented on accommodating meetings during the program and is hopeful everyone will understand.
- Tim Clark commented on how to continue to accommodate space for free.
- Peter Warren suggested they contact the Cable Committee to film the August 24th public input session and wondered if six months may be sufficient.
- Bill Johnson suggested they broaden the scope beyond arts/cultural interest and wondered how to maintain long term commitments.

Ron Ricci asked about how funds from the program should be allocated. Ron Ostberg said projected income from program is estimated to be \$10,000. The committee is interested in the ability to utilize some of the proceeds for advertising, incidental expenses and possibly minor building repairs. Tim Clark suggested the ability for donations to be accepted on behalf of the program. Tim Bragan said he and Lorraine Leonard would work on setting up a mechanism to do this. On a Warren/Johnson motion, the board voted unanimously to authorize the MBC to control usage of old library for pilot program including setting fees, funds to revert to town. MBC may propose use of some funds for necessary advertising and minor repairs subject to Town Administrator approval.

TOWN ADMINISTRATOR REPORT – Tim Bragan informed the board the project for drainage improvements on Littleton County Road has been awarded to Target Construction.

Bragan said he has received a request from the Conservation Trust to hang a banner over Ayer Road promoting their 5k run.

On a Johnson/Ricci motion, the board voted unanimously to delegate banner approval to the Town Administrator and incorporate into the Policies & Procedures.

Bragan updated the board informing them the oil tank that was removed at the Harvard Elementary School has contaminated the soil. School Facilities Manager Mark Force and Fire Chief Robert Mignard are working on this with DEP.

Bragan said he is working with Elsa Campbell from DHCD regarding the rental of a LIP unit in Devens on Elm Road that is currently being rented which is not allowable.

Firefighter Bill Barton owns 324 Stow Road and has offered to allow training on the property. A hold harmless agreement has been drafted and must be approved by the board. On a Ricci/Johnson motion, the board voted unanimously to authorize the chair to sign authorization letter.

ELDERLY & DISABLED TAXATION AID COMMITTEE REQUEST TO TRANSFER – On a Sobalvarro/Johnson motion, the board voted unanimously to approve transfer of \$5,000 from the Rantoul Elderly trust account to the Elderly &

Disabled Taxation Fund and request current balance of fund, understanding of annual disbursements and fundraising. Peter Warren said he will contact chairman Rick Maiore.

APPOINTMENT OF ELECTION OFFICIALS – On a Clark/Ricci motion, the board approved appointments.

SUBURBAN COALITION APPOINTMENT – On a Clark/Sobalvarro motion, the board voted unanimously to appoint Stu Sklar.

TRANSFER STATION SENIOR/HP PARKING SPACES – Transfer Station Committee member Jonathan Williams attended the meeting. Williams said volunteers do currently assist many residents at the Transfer Station from seniors to people on crutches. He suggests the idea of designating parking spaces for “assistance” to accommodate all scenarios that may arise. This could also encourage residents using the station to assist not just volunteers. He confirmed informally the other committee members agree this is a good first step and DPW Director Rich Nota is in agreement as well. Tim Clark said he would be happy to incorporate a designated assistance space into the plan they are currently working on which includes restriping and redesign of the shed. On a Johnson/Ricci motion, the board voted unanimously to direct liaison Tim Clark to work with Rich Nota to resolve senior trash valet location at the transfer station.

VICKSBURG SQUARE – The Board discussed their position moving forward regarding the redevelopment of Vicksburg Square at JBOS meetings in the future.

Ron Ricci said the developer Trinity Financial is currently in negotiations with MassDevelopment proposing 275 housing rental units. The units will consist of 1 – 2 bedrooms. Ayer Selectmen have met with Trinity Financial but he is unaware of the details from their meeting. At the sub-committee met on August 2nd a difference of opinions emerged with a strong preference to maintain the present (technology/incubator/business) usage as set in the original reuse plan but this does not appear to be in the plans proposed by Trinity. Ricci said he met with Ayer Selectmen Jim Fay who agreed a discussion at the next JBOS meeting about possibly conducting a public forum with all the surrounding towns as a next step. Ricci thinks this would allow the towns to set expectations not the developer.

Tim Clark expressed his disappointed with the lack of engagement from MassDevelopment and the developer. He feels it is the responsibility of the developer to get in with the public on the ground level. If developer is serious there must be an open process lead by them. Clark suggests an invitation be made to the developer. Peter Warren said he asked Ron Ricci and Marie Sobalvarro to work on setting up a meeting with Trinity. They are hopeful to meet with them in the near future.

Marie Sobalvarro is happy to learn more about Trinity’s proposal but does not want Harvard to promote it. She feels it is up to the developer but is not opposed to recommending how they can make their promotion work.

Bill Johnson said he is aligned with Ron Ricci's suggestion because it is not clear Trinity understands their customer is the towns and not MassDevelopment. He has been disappointed in the past by non-inclusion with the towns and feels a pro-active movement to establish a forum and invite Trinity to come is imperative. He said maybe the three towns or just Harvard proposes an interactive public forum and asks them to be involved. If they do not come we will see their true colors.

Peter Warren supports a meeting between Ron Ricci, Marie Sobalvarro and a representative from Trinity as a good first step. Bill Johnson suggests more meaning will be given if all three towns participate. He said this is more consistent with JBOS. Ron Ricci said he has invited Trinity for a meeting but has received no response. Peter Warren said he feels strongly each town must have a meeting within their town to discuss the issue. Ron Ricci feels a better result will come from what benefits us instead of what benefits them. Tim Clark made an interesting point by asking how Harvard defines benefit. Ricci said it must be a community effort.

The Board directs Ron Ricci and Marie Sobalvarro to meet with Trinity, next the BOS attend JBOS to discuss strategies moving forward and lastly investigate alternatives for professional assistance to facilitate the process.

The meeting was adjourned at 9:36PM.

Documents referenced:

LONGBOARDING EVENT & COMPETITION – Letter to Selectmen & informational flyer and petition.

DEVENS RECYCLING CENTER – Standard letter & map for customers, Letters from Flynn Pest Control dated 8.12.2010 and Tech Environmental date 8.12.2010

MUNICIPAL BUILDINGS COMMITTEE PILOT PROJECT – Pilot project proposal date 8.4.2010 and report given to BOS dates 8.17.2010

APPOINTMENT OF ELECTION OFFICIALS – Request letter dated 8.26.2010, Proposed lists: Democrat, Republican and Unenrolled
September 1, 2010 – August 31, 2011

SUBURBAN COALITION APPOINTMENT – Volunteer form Stu Sklar dated 8.11.2010