



**Board of Selectmen  
Minutes  
Tuesday, September 7, 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. 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 Johnson/Ricci motion, the board voted unanimously to approve minutes of 8/17, as presented.

**SELECTMEN REPORTS** –

**Council on Aging** - Marie Sobalvarro reported the COA is meeting to finalize their goals to be presented at the All Boards meeting.

**4<sup>th</sup> of July Committee** – Marie Sobalvarro reminded the board and residents the committee is co-sponsoring the 1<sup>st</sup> annual Ken Harrod bike ride to be held on September 11<sup>th</sup>.

Ron Ricci reported he attended a meeting to discuss the flooding at Eldridge, Harvard and Old Harvard Roads. He said the Boxboro Town Administrator, Representative Jen Benson, Senator Jamie Eldridge, Harvard resident Linda Hoffman, Boxboro residents Tom Hoch & Kathleen Zawicki and Attorney Ray Lyons were all present. He said several options were discussed but no decision was made. Representative Benson and Senator Eldridge will work on establishing funding sources to further research and solve the problem.

Ron Ricci said he and Marie Sobalvarro met with two representatives from Trinity Development the contractor who will be working on the redevelopment of Vicksburg Square. He said they met at town hall and then walked the common area to provide them will a feel for Harvard and to chat about redevelopment plans/ideas. Ricci said after the meeting he personally believes the approach for Harvard to take the lead is important. Marie Sobalvarro suggests a public forum be held in Harvard to solicit input from residents.

**Energy Advisory Committee** – Tim Clark reported the on-going process the committee is working towards to become a Green Community. He explained included in the five energy focused criteria is to provide an “as-of-right siting” to support renewable or alternative energy. Currently, the committee is exploring the possibility of area in Devens as qualifying. He will be meeting with Neil Angus from MassDevelopment to discuss this and a possible partnership with the surrounding communities.

**Municipal Buildings Committee** - Tim Clark announced the Pilot Project will hold their open house the weekend of September 18<sup>th</sup>.

Peter Warren said he attended a regionalization seminar last week with Tim Bragan and Lorraine Leonard. He found the seminar to be very informative and even approached Linda Dunlavy presenter from Franklin Regional Council of Governments on possibly giving a presentation in the area. The board members agreed this was a good idea.

Peter Warren said at the chairman's monthly coffee meeting the idea of holding a one day information session regarding the Open Meeting Law and Ethics requirements would be beneficial. The board members agreed. Tim Bragan will work with Peter Lowitt from DEC on this.

Peter Warren said he spoke with Kurt Macnamarra from the Devens Recycling Center and they have filed an appeal regarding extending their hours of operation to include Saturdays. A public hearing will be held on October 7<sup>th</sup>.

Peter Warren announced the 5K race to be held on Sunday, September 12<sup>th</sup> by the Conservation Trust.

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

1. Victor Normand DEAT Chair is requesting a letter introducing DEAT to MassDevelopment and requesting their cooperation in providing information to DEAT. (discussed further later in the meeting)
2. The Moderator has notified Bragan that there is an opening on the Finance Committee as Mr. Sullivan has resigned and asked that it be announced at tonight's meeting. Also, there is a need for alternate(s) on this committee.
3. Apple Season is upon us and as such the U-Pick signs will be popping up. Julie sent a notice out to the orchard owners in August and we have just started to get requests coming in and will make sure that the BOS policies for such signs are followed by all. Also, the drainage work on old Littleton Road will begin shortly and will also be finished by the 24<sup>th</sup> of this month if not sooner. This will pose an issue given the earlier than expected harvest but when the project was planned we tried to avoid the issue of having the road open while apples are being transported and we hope the growers are aware of this.
4. On September 30, 2010 from 6-8 PM in the Town Hall Meeting Room there will be an informational meeting regarding the three (3) affordable units at Harvard Commons with a deadline for applications to be October 30<sup>th</sup> and the Lottery to be held on November 20<sup>th</sup> and all of the information is on the Town's website.

## **PUBLIC COMMUNICATION –**

Jim Breslauer, 130 Poor Farm Road, asked the Board of Health to communicate with the Conservation Commission concerning Eastern Equine Encephalitis and West Nile Disease concerns and actions to be taken if any.

Jim Breslauer, 130 Poor Farm Road, spoke on behalf of his wife Deb Thompson who asks the board to consider purchase of the farm for sale on Poor Farm Road. She envisions a great potential for possible affordable housing, historic preservation and land conservation. Ron Ricci said the Municipal Affordable Housing Trust will be discussing at their next meeting.

**TOWN ADMINISTRATOR REPORT continued** – School Committee Chair Keith Cheveralls was present to request the BOS vote to authorize the Superintendent to submit statement of interest for Green Grant Program through the MSBA. He said the vote is a formality and it is unlikely Harvard will be awarded funds but important to stay in the running. The following motion was made and voted unanimously:

Having convened in an open meeting on September 7, 2010, the Board of Selectmen of The Town of Harvard, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated September 16, 2010 for the Hildreth Elementary School located at 27 Massachusetts Avenue which describes and explains the following deficiencies and the priority category(s) for which Town of Harvard may be invited to apply to the Massachusetts School Building Authority in the future for a priority five (5) project of replacing boiler and replacement of windows at the Hildreth Elementary School with Energy Efficient windows; and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town to filing an application for funding with the Massachusetts School Building Authority.

## **BOARD OF HEALTH**

### **Eastern Equine Encephalitis & West Nile Virus**

The Harvard Board of Health was invited by Peter Warren to discuss Triple EEE and West Nile Virus due to a recent case confirmed in Bolton. Members Jack Spero and Lorin Johnson were present. Lorin Johnson said at this time the board is keeping current with notifications from the state and is in constant contact with Nashoba Board of Health Sanitarian Ira Grossman. Lorin Johnson explained at this time there is no emergency and residents should take the following precautions:

- Be Aware of Peak Mosquito Hours
- Increase Clothing
- Apply Insect Repellent
- Mosquito-Proof Your Home

Lorin Johnson said historically Harvard has not been in favor of mosquito spraying in any fashion and it is his understanding a vote at town meeting would be necessary first.

Jack Spero said the board will begin to look at various possibilities relating to spraying in case the problem worsens and residents express interest in pursuing the concept further. So far, Spero said only one resident has contacted the BOH and Executive Assistant Julie Doucet confirmed only one resident has contacted the Selectmen's office. Third BOH member Tom Phillipou entered the meeting at 8:00PM. Lorin Johnson said it is a good idea to have a representative from Central Mass Mosquito Control come to explain the process and options available to be certain residents and the town are well informed. The BOS agreed. The BOH will schedule a public information session soon.

Peter Warren understands Central Mass will not spray in an area if any residents are opposed but they do have the ability to spot spray. Marie Sobalvarro commented on the negative affects Anvil (pesticide to control mosquitoes) has and wondered what the benefit is of spraying. Jack Spero said this is the only way to get rid of the mosquitoes if desired by residents. Bill Johnson asked how BOH would determine the necessity for the town to take the next step. He suggested the BOH prepare a strategy moving forward. Tim Clark asked the BOH to find out when and if the state will actually perform testing in Harvard. He said this would be useful to frame further discussions. Ron Ricci said a public information session is key and Marie Sobalvarro suggested BOH stay in contact with Conservation Commission, Fish & Wildlife and Bare Hill Pond Committee regarding the issue.

Town resident and Conservation Commission member Jim Breslauer reported the Center for Disease Control (CDC) has confirmed one case of Triple EEE in Plymouth County in 2010 and six cases in the entire country. He said the chances of being infected are minuscule if precautions mentioned are taken. He also commented on the negative affects Anvil can have on humans, animals and that it is especially harmful to aquatic animals. Town resident and Conservation Commission member Wendy Sisson said once the town votes to move forward with mosquito control this limits the control the town has moving forward. She also stated controlling mosquitoes is very difficult due to the many different types and habitats.

Town resident Deborah Skauen – Hinchliffe asked what the cost for spraying was in Boxboro and Bolton. Peter Warren said Bolton made an agreement to pay no up front fees if they add mosquito control to their town meeting warrant. He did not know about Boxboro. She suggested instead of spraying supply residents with mosquito magnets.

In closing, the Selectmen request the BOH to organize an educational seminar and prepare a non-emergency decision process. The Selectmen did say if the situation were to escalate to contact them immediately.

**CULTURAL COUNCIL APPOINTMENT** – Council Chair Debra Vanderwerf attended the meeting to recommend Rebecca Wright for appointment to the council. On a Clark/Johnson motion, the board voted unanimously to appoint Rebecca Wright to the Cultural Council with a term expiring in 2013.

**TOWN ADMINISTRATOR REPORT continued** – Devens Economic Analysis Team Chair Victor Normand was present to request the Selectmen endorse a letter to MassDevelopment introducing the team and to open the door for flow of information. Bill Johnson suggested the removal of: *specifically as it relates to that portion of the DREZ within the town of Harvard.* He said it is important to not limit information from all of DREZ. Normand and the other board members agreed. On a Johnson/Ricci motion, the board voted unanimously to endorse the letter with modifications made by Bill Johnson.

**DISCUSS ALL BOARDS MEETING** – Peter Warren opened the discussion by stating his intention for the meeting is to begin improving communication between boards and to improve communications with liaisons. He opened the discussion to field opinions from the other members on how the meeting will run. Tim Bragan said the meeting will begin with a gathering to begin at 6:00PM with the meeting opening at 7:00PM. Bragan said the meeting will start with the boards/committees and conclude with the financial aspect review. Bill Johnson expressed concern over the number of participants and how long each board/committee would have to speak. Peter Warren envisions ten minutes for each participant. Warren suggests each board member follow up with their liaison assignments to be certain everyone is aware and included if requested. Tim Clark suggests the BOS focus on facilitating the meeting and limit participation. He also commented on the importance for everyone to have their chance to speak and to not allow any one group to monopolize the meeting. Tim Bragan said obviously the opportunity to explain the five year financial strategy and how it is affecting the upcoming budget season is important and will take more time. Marie Sobalvarro and Ron Ricci view the meeting as an open dialogue. Board members agreed in the future it makes sense to start this process earlier if possible. Bill Johnson feels the process would be more productive if lead by the BOS encouraging boards/committees to develop goals of their own. He thinks the meeting should be an avenue to link boards/committees goals together and develop a process to attain them. Peter Warren and Tim Bragan will finalize an agenda to be distributed prior to the meeting. Warren stated public can attend but will not be allowed to participate.

**REVIEW PROPOSAL FOR 5 YEAR FINANCIAL PLANNING STRATEGY** – Bill Johnson began the introduction by recognizing the individuals who participated: Town Administrator Tim Bragan, Finance Director Lorraine Leonard, Finance Committee members Bob Thurston & George McKenna, Capital Committee members George McKenna & Cindy Russo, School Committee members Keith Cheveralls & Virginia Justicz, Board of Selectmen members Bill Johnson and Marie Sobalvarro. He explained the school is still working on their piece but all committees have reviewed the draft he is presenting. He expects the presentation to last 20-30 minutes. On a Sobalvarro/Clark motion, the board voted unanimously to endorse the Town of Harvard Five Year Financial Planning Strategy proposed by Bill Johnson.

**DISCUSS PROLIFERATION OF SIGNS** – Peter Warren explained the reason for this agenda item is to discuss the abundance of signs on the common and concern over political signs, length of time they are up and where they are posted. Park & Recreation members Jim and John Lee were present to listen to the discussion and address any

questions. Warren asked if the committee enforces the rules they have regarding sign approval on the common. John Lee said yes. The concerns discussed were length of time signs are up, recurring event signs, commercial/private business advertising signs and varying size of signs. John and Jim Lee said the sign policy will be on their next agenda and they requested the Selectmen provide comment/suggestions.

The discussion moved onto political signs. The board members debated their opinions on acceptable timeframes for signs to be up and where signs can be placed. Tim Bragan said in the past there was a gentlemen's agreement between the political committees in town but over the years this agreement has not been followed. Bragan said the Town Clerk has received numerous phone calls asking if there are rules in place regarding political signs. Peter Warren recommends some basic rules. Tim Clark quoted the bylaws (Chapter 125-41) to state territory in the right of way between the stone walls require permission and are limited to three. On private property there are no regulations. Tim Bragan provided some suggestions from other towns. Marie Sobalvarro said her major concern is over the number of signs and suggested approaching reinstating the gentleman's agreement. Ron Ricci strongly expressed his feeling political signs are a freedom of speech and should not be restricted. He also wondered how rules can be enforced. The Selectmen decided to respectfully request of all residents no signs be put up or placed no earlier than 90 days before an election, signs are not allowed on utility poles, light poles or street signs and signs must be removed within 72 hours of the close of polls.

\*\*\*\* 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 9:55pm, 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 legal issues. Following the executive session, the Board will reconvene into open session only to adjourn. \*\*\*\*

The meeting was adjourned at 10:15pm.

Documents referenced:

**CULTURAL COUNCIL APPOINTMENT** – volunteer form dated 9.1.2010  
**REVIEW PROPOSAL FOR 5 YEAR FINANCIAL PLANNING STRATEGY**  
5 year financial planning strategy presentation – dated 9.14.2010  
**DISCUSS PROLIFERATION OF SIGNS** – letter from Chairman Peter Warren & copy of sign bylaw Chapter 125-41