



**Board of Selectmen
Minutes
Tuesday, March 15, 2011, 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, Bill Johnson and Tim Clark were all in attendance as well as the Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

DEVENS ECONOMIC ANALYSIS TEAM (DEAT) PROGRESS REPORT

Team Chairman Victor Normand was present review the committee's progress to date. He began by naming the team members: Duncan Chapman, Orville Dodson, Steve Finnegan, Paul Green, School Representatives Maureen Babcock and Patricia Wenger, Ex Officio from Finance Committee Steve Colwell and Selectmen representative Ron Ricci. He said DEAT's charge is to answer the question of what is the cost to run Devens as a municipality. They have tried to accomplish this task over the past several months. He indicated some advice they received was to take a step back and instead of trying to start with all the details go bigger. The committee decided to look at Harvard/Devens as an economic alter ego and keep the analysis conservative. They used comparative communities as a basis with the following metrics:

- total assessed value of \$1.390 billion
- (+15%), ratio of total assessed value to Commercial/Industrial/Personal Property (CIP) of 16.7% (+15%)
- Population

In shaping these major assumptions they used documented expense proposals/analysis when available and aggregated expenses from comparable towns as default expenses. In the report they have provided footnotes whenever manipulated expense amounts are used, assumed Devens utilities remains a self-supporting entity and Devens Enterprise Commission (DEC) continues in operation at least until build out, financially supported by current fee structure with some funds coming from the tax base that would ordinarily be budgeted for the services it provides. They used towns with similar numbers and used their expenses as a default number until more accurate numbers can be determined. They decided early on not to deal with utilities because they support themselves. They also did not factor in DEC. The data they compiled was found from the Department of Revenue Division of Local Services. Normand said the committee feels a fairly realistic number for the total expense is \$24.5 million. He indicated moving forward education is a wild card. He said the school committee has completed a ten year projection study which shows enrollment will decline. Peter Warren wondered about he debt service and if it is reasonable to assume no debt from Devens would be incurred. Normand said he assumes Devens would be debt free on transition with the possible exception of utility debt which is supported by utility revenues. Normand explained this report is a living document and the committee is willing to continue on refining the numbers. He said two things likely to occur are the tax base at Devens will increase based on conservative assumptions and operating costs will go down. He believes if you applied Harvard's tax rate to Devens

now the revenue would be \$3 million. Bill Johnson asked what the revenue would be with full build out. Normand said \$17.7 million. He also wondered if there were any other communities structured like Devens. Normand said no. The board thanked Normand for the report presentation and the entire committee for their efforts.

AMBULANCE APPOINTMENTS

On a Clark/Ricci motion, the board voted unanimously to approve roster add ons dated 3.7.2011.

SELECTMEN REPORTS

JBOS - Ron Ricci reported he is meeting with Executive Vice President of Devens Operations George Ramirez, Ayer Selectmen Jim Fay, representatives from the Devens Committee and Shirley tomorrow. He said Trinity Financial is scheduled to provide a proposal at the March 24th JBOS meeting.

Park and Recreation - Tim Clark said the Park & Recreation Committee is investigating how they can better deal with field usage and coordination with the DPW department in terms of buildings and grounds. The two parties have begun the conversation on finding ways to address the limited staffing issues with the DPW department and the need to create an outlined process to meet all responsibilities. Park & Recreation liaison Bill Johnson stated an agreement on how responsibilities should be shared was established years ago but has fallen to the wayside. Johnson added Finance Committee member Lori Granville has been a key player in the process. Peter Warren asked if the Cemetery Commission was part of this. Clark said originally they were not but agreed when the discussion on grounds comes up it is important to include them. Johnson said at this time they are focusing on solving the recreational facility issues first. He also said Park & Recreation is working on a five year strategic and capital plan for the fields which is encouraging

Town Center Sewer Project - Tim Clark updated the board on the progress of the town center sewer project. He said a meeting has been set up for Friday, March 18th at the Worcester Central DEP office to discuss their concerns. He expressed his confidence things can be worked out and expects the bid process to begin shortly.

Peter Warren reported the cable committees from Harvard, Ayer and Shirley are working together to come up with a plan on how to televise the JBOS and DEC meetings. He said Peter Lowitt from DEC has informed them a bid has been obtained to install the necessary equipment.

Warren announced the Elderly and Disabled Taxation Aid Committee have mailed a letter requesting donations. Their goal this year is to raise \$20,000. He explained donations have been low and encourages the community to contribute if they can.

Marie Sobalvarro – liaison reports

She announced the Municipal Building Committee will be holding open houses at the Hildreth House, Town Hall and old Library on March 12th from 10am-2pm, March 16th from 3pm-6pm, March 20th from 10am-2pm and March 26th from 10am-2pm.

4th of July Committee - Sobalvarro invited 4th of July Committee Co-Chair Frank Anderson to come forward and give an update. Anderson said he is co-chairing the committee with Rich Maiore this year. He confirmed the fireworks will be held on Friday, July 1st at Fruitlands Museum and the parade will be held on Monday, July 4th. He said the theme this year is environmental legacy and the high school is currently holding a contest to determine the slogan for this years t-shirts fundraiser. He explained the committee has decided to pursue some corporate sponsorship to assist with funding of the fireworks so they can avoid charging parking fees. As always he encouraged residents to volunteer and contact him directly or through the Selectmen's office.

Historical Commission – Sobalvarro invited Chairman Jonathan Fiest to come forward. Fiest reported the commission has received community preservation grant funds for the Town Hall and Shaker Cemetery. The commission has held off on moving forward with the Town Hall restoration until the future of the municipal buildings has been decided at the Annual Town Meeting. As far as the Shaker Cemetery, he explained it has been a bit more complicated due to differing views from the Historical and Cemetery Commissions. He said they are working on this and if an agreement can not be made the funds would go back to the CPC. Fiest reported the commissions latest action is related to the property located at 2 & 6 Littleton Road. He said the residents replaced windows in the common historical district without a permit or commission approval. Feist said he is unsure what the remediation will be. Lastly, Fiest said he would be rotating off as Chair in April with Roseanne Saalfield most likely filling the position.

Council on Aging – Sobalvarro reported the council is still working on the handyman program and have the Congregational Church participating in March. They are also waiting to find out what the Formula grant will be due to the increase in the elderly population. The council will hold a “Thank God It is Spring” event and plan to hold an evening exercise class.

TOWN ADMINISTRATOR REPORT

Bragan reported the DPW Director Rich Nota has completed the internal process to promote one employee to an Equipment Operator. Bragan said three employees applied with one standing out from the rest. Nota recommended Eric Martineau for the promotion. On a Johnson/Ricci motion, the board voted unanimously to approve promotion of Eric Martineau from Truck Driver Laborer to Equipment Operator.

Bragan informed the board that a request to donate a portion of land located near Brown Road and Route 495. The current owners received the property from a deceased relative and do not have a use for it. The land is located on Map 35 Parcel 16.

On a Ricci/Johnson motion, the board voted unanimously to accept the offer.

Charity Bike ride requests

On a Sobalvarro/Johnson motion, the board voted unanimously to permit the Asthma and Allergy Foundation of America to post signs in support of their ride with all signs being removed by the end of the day. The ride will be held on June 18th.

On a Sobalvarro/Johnson motion, the board voted unanimously to approve the Alzheimer Associations request for permit to hold their annual ride on July 23rd. Bragan confirmed they have been in contact with the Police Department on the details.

Bragan asked the board what their decision was regarding the Senior Work Off Program. COA Director Ginger Quarles had come to Bragan because the program does not have enough jobs for the number of volunteers. Quarles wondered if the board may want to increase the program funding. Bragan said the tax rate has been set so this would have to be revisited next year if the board chooses too. Ron Ricci said the COA Director will have to determine how she wants to distribute the job opportunities to best serve everyone.

On a Ricci/Johnson motion, the board voted unanimously to donate one transfer station sticker to the Harvard Schools Trust.

APPROVE FIRE CHIEF JOB DESCRIPTION

Bragan invited Firefighter Bill Barton to come forward. Bragan said the job description has been reviewed by the Interim Fire Chief Don Hurme and Firefighters Bill Barton and Charles Nigus. On a Clark/Ricci motion, the board voted unanimously to accept revised job description for the Town of Harvard Fire Chief received today 3.15.2011. Bragan also provided the board with an advertisement, review and appointment process.

On a Clark/Ricci motion, the board voted unanimously to approve the schedule as presented.

The timeline is as follows:

1. Advertise in the Beacon, Harvard Press and Harvard Hillside
2. April 7th deadline
3. Initial review committee (BOS, Fire Liaison, Town Administrator, Interim Fire Chief, Bill Barton and Charles Nigus) review and select 5 to 7 applicants for next step. Finish by April 15th.
4. Review candidates by Interim Chief, two additional Fire Chiefs and Police Chief to be finished by April 29th with recommendation of final three to BOS.
5. May 2nd meet the Fire Department.
6. May 3rd interviewed by BOS.
7. May 17th decision by BOS.
8. June new Chief on board.

DISCUSS JBOS GOVERNANCE

Bill Johnson and Marie Sobalvarro said at the last JBOS meeting Ayer Selectmen Jim Fay suggested the straw horse proposal of Devens Governance Committee– next steps and mission statement go back to each town for discussion and feedback. Johnson said the three components are the definition of the Devens Governance Committee, proposal for its charter and timeline for work to be done. The plan is to bring back feedback for

further discussion at their April meeting. Sobalvarro said this is the start to the conversation about the committee and how to come up with governance/disposition. The next step would be to go from JBOS to the legislature. Sobalvarro and Johnson agree we need to focus on the short term. The question is what does action plan mean? It is a mix of what to do in the short term until disposition and then resolution of disposition. Clark commented on the word “disposition” being loaded when it comes to Devens governance. He said the notion of improving or reducing costs for services has nothing to do with governance. He is skeptical to leap on the idea of MassDevelopment not handling the operational activities and only the land development. Sobalvarro said it would be a helpful component to identify the cost for each stake holder. She noted the importance of all three Town Administrators to be on board to assist with identifying the cost. Bragan said this will only work if all towns buy in to the idea. Bragan said he is okay with board members being involved as well. Johnson said this all brings us back to the “what” that we are trying to accomplish. He is fairly convinced Selectmen have different views on the “what”. Johnson said the “what” is what drives the “who”. He said we need to investigate regionalizing services, towns supplying services and identify areas that can be managed collaboratively. He thinks the final piece is to define disposition and governance. Sobalvarro and Johnson are not comfortable to kick out MassDevelopment as proposed by others. Sobalvarro thinks the Town Administrators working together to take the next step makes sense. Ron Ricci agreed it is imperative all towns are on board. The board agreed Sobalvarro and Johnson will draft a proposal capturing this discussion for further debate at the March 24th JBOS meeting. Johnson said it will be interesting to see where the other towns are. Peter Warren wondered if the Devens population will feel left out. Tim Clark said the Devens Community will have the opportunity to deal with whoever provides services. He thinks the real transition will be when services are delivered outside of MassDevelopment. The members plan to all attend the March 24th JBOS meeting to show strong representation from Harvard and try and keep things simple at this point.

DISCUSS TOWN ADMINISTRATOR DUTIES

Bill Johnson explained the context for this item on the agenda is to explore how responsibilities are divided between the Town Administrator and the Board of Selectmen. He said it seemed appropriate to address now considering the Town Administrator’s review is underway and goals will be set for the upcoming year. Johnson is curious if there are tasks that can be delegated to the Town Administrator to allow more time for the BOS to work on items of a more strategic nature. He is unsure on what legal or contractual limitations there may be but would like to pursue further to see if there can be a more effective way to run town government. He was clear that he is not saying things are not run well now but is interested in exploring ways to improve. The board asked Bragan what the difference is between a Town Manager and Town Administrator. He said a Town Manager runs all day to day duties including hiring and firing and the board handles setting policy directives for the Manager to follow. A Town Administrator handles day to day but has less responsibility and works more in conjunction with the BOS. Bragan did say the BOS have certain fiduciary responsibilities the way things are set up now and to make any major changes you would need a Town Meeting vote.

Tim Clark said it was not too long ago when the town decided to hire a Town Administrator and before that the BOS did it all. He commented on the interdependence of all boards in town that funnel through the Town Administrators office. He said it is a major conduit for communication. Marie Sobalvarro noted that familiarity with the day to day is good. Clark said we must be mindful that we are just a small piece of a complex system. The board agreed this should be a topic at the BOS strategic planning session.

ASSIGNMENT OF WARRANT ARTICLES

The board members chose which articles they would speak to and decided to hold a meeting on March 30th at 9:00am to vote on support of the articles.

**** 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 9:45pm, 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 review non-union contracts. Following the executive session, the Board will reconvene into open session only to adjourn. ****

The meeting was adjourned at 10:45pm.

Documents referenced:

DEVENS ECONOMIC ANALYSIS TEAM (DEAT) – progress report dated 3.15.2011

AMBULANCE APPOINTMENTS – Roster dated 3.7.2011

APPROVE FIRE CHIEF JOB DESCRIPTION – Fire Chief Final job description dated 3.15.2011 and outline of hiring process.

DISCUSS JBOS GOVERNANCE – Devens Governance – Next Steps dated 3.15.2011
JBOS Mission statement document

ASSIGNMENT OF WARRANT ARTICLES - Finance Committee handbook for 2011
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