



**Board of Selectmen  
Minutes  
Tuesday, April 26, 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.

### **MINUTES**

On a Sobalvarro/Johnson motion, the board voted unanimously to approve the minutes of 3/30 and 4/5, as presented.

On a Sobalvarro/Johnson motion, the board voted unanimously to approve executive session minutes of 4/5, as presented.

### **FINANCIAL MANAGEMENT REVIEW**

Town Administrator Tim Bragan said the review completed by the Department of Revenue included observations and recommendations. He explained the review specified some areas in need of improvement and provided ideas on how to implement productive changes. Bragan suggested the board members prioritize the recommendations for further discussion and development of a “game plan” at the Strategic Planning Session. Bragan was pleased when the persons who drafted the report said Harvard received one of the best reviews thus far. Bragan quoted from the conclusion of the report that “Harvard is well positioned to emerge successfully from the prolonged period of economic weakness that is affecting communities across the state and found town officials in Harvard to be experienced, engaged and effective at managing the town’s financial management operations”. In addition, the report stated “officials continue to strategize on how best to move the town forward in a positive direction as illustrated by the recent development of a five-year financial plan and the establishment of a formal capital planning committee and capital stabilization fund”. Lorraine Leonard conducted a meeting with the Finance Department to review recommendations and they are in the process of determining how to proceed. Tim Clark asked Leonard to draft a summary of recommendations and distribute it to the board members. Peter Warren complimented the Finance Department on a job well done as did the rest of the board.

### **ANNUAL AUDIT REVIEW**

Finance Director Lorraine Leonard explained an audit is done every year and single audits may be necessary if we receive over \$500,000 of federal funds to be in compliance with requirements described in the OMB Circular A-133. She used FEMA funds from the ice storm as an example. The audit material includes a management letter with findings and recommendations, report on examination of basic financial statements with additional information and single audit reports. Marie Sobalvarro commented on the suggestion of accounting for the Transfer Station with enterprise funds instead of through the general fund. Tim Clark asked why some of the trust fund accounts seem to be

stagnant. Leonard explained there are eight accounts the Treasurer/Tax Collector Vicki Smith has been unable to locate information on. She said many of these accounts go back sixty or so years which makes it quite difficult to determine what has happened with them in the past. She intends to follow up with Town Counsel on some of these accounts to determine what can be done with them. Clark wants to see these accounts reconciled.

Leonard asked the board if they would approve the fire brush truck bid. She explained there were four bids with the lowest from Minuteman Trucks Inc. in the amount of \$121,700. She said the total approved at town meeting was \$145,000 and she anticipates the trucks total cost to come in around \$140,000. On a Ricci/Sobalvarro motion, the board voted unanimously to accept the bid from Minuteman Trucks Inc. with a total cost slightly under \$140,000 for fire truck brush truck.

### **APPOINTMENT**

Town Center Sewer Building Committee Chair Chris Ashley introduced Duane Barber for appointment. Ashley said Barber has served the community in a number of ways over the years and will be a huge asset to the committee.

On a Ricci/Johnson motion, the board voted unanimously to appoint Duane Barber to Town Center Sewer Building Committee.

Ashley gave a brief update on the project. He said revised drawings were provide to DEP. They had a few additional questions but overall they were satisfied with the approach. He anticipates beginning the SRF process in a couple weeks and then going out to bid in June.

### **MID STATE MUTUAL AID AGREEMENT**

On a Sobalvarro/Johnson motion, the board voted unanimously to approve the Mid-State Fire Mutual Aid Agreement.

### **SELECTMEN REPORTS**

#### **Bare Hill Pond Watershed Management Committee**

Bill Johnson announced engineering firm Horsley Whitten will be surveying the wetland boundaries near the southern end of the pond. They are investigating three potential stormwater collection and treatment sites identified by the Bare Hill Pond Watershed Management Committee. He said they will also be surveying the bottom of the pond in the swimming area to create a profile for possible excavation. The goal is to provide recommendations to the Pond Committee in May so a decision can be made by the end of the fiscal year. Marie Sobalvarro asked about the funding source. Johnson explained they plan to utilize grant and CPC funds that have been awarded but not yet spent.

#### **Municipal Building Committee**

Marie Sobalvarro reported the committee will be meeting on Monday, May 2<sup>nd</sup> at 9:00am in the Town Hall Meeting Room.

#### **Solarize Mass Energy Program**

Tim Clark reported Harvard has been chosen as one of the four communities that will participate in the Solarize Mass Energy Program. He was able to attend a press

conference held in Hatfield announcing the communities selected where he met State Energy and Environmental Affairs Secretary Richard Sullivan. Clark said Worth Robbins has been contacted by Mass Clean Energy Center (CEC) to set up an initial meeting to establish a communication strategy with the public. He clarified this is not a town program but a program available for residential and commercial installations.

Peter Warren commented on the parking issues he has noticed in front of Dunkin Donuts and spoke to Police Chief Ed Denmark about ticketing. Denmark informed him that with no hearing officer tickets can not be issued. Warren suggested nominating the Town Administrator as the hearing officer. Tim Clark said he is not familiar with the language regarding ticketing. Ron Ricci was reluctant to discuss further without understanding the implications. The board agreed to discuss this at a future meeting.

Peter Warren reported on Saturday he participated with the Town of Stow in walking the boundaries. He said it was quite interesting with the most recent Harvard markings done in 1990. Warren commented on the responsibility of the Selectmen to do this every five years.

Warren said the Municipal Building Committee has had two meetings since the ATM. They have begun to discuss a new charge moving forward and Warren distributed a copy of the draft to the board members. The committee intends to discuss further at their next meeting. He said the committee has expressed some concern over the length of time they have to accomplish the goals set at the ATM. Their first goal is to secure an Operations Property Manager.

Warren reported a weak response from the surrounding communities who attended the regionalization seminar held in March. At this time, he will not pursue the initiative further.

Warren reported progress for the future taping of JBOS and DEC meetings. He said MassDevelopment has recently received bids for the installation of equipment. The idea in the beginning was to have DEC pay 50% and the towns share in paying the other 50% but Peter Lowitt from DEC was agreeable to consider them paying the entire cost. Warren said it is not realistic to have the towns pay since it is really the responsibility of DEC. Lowitt told Warren he would speak with Bill Marshall about this. Harvard Cable Committee member Jonathan Williams is currently developing another proposal for a lesser system if necessary.

### **Suburban Coalition update**

Coalition representative Stu Sklar reported their annual breakfast was quite successful. He said a big topic of discussion revolved around unfunded mandates. He provided a draft document of mandates and asked for feedback from board members and town officials. Bill Johnson asked what the goal is beyond acknowledgement that unfunded mandates exist. Sklar said ultimately state funding but acknowledgement there is a problem is a start. Johnson suggested that the Suburban Coalition take the additional step

to categorize actionable items and prioritize them before engaging the legislators. Tim Bragan suggested the coalition contact the state auditor's office as well.

### **TOWN ADMINISTRATOR REPORT**

Tim Bragan began his report with an update on the Ryan field flooding that has been caused by a large beaver dam. He said the Board of Health has been contacted and will act on an emergency request to create an opening in the dam at their meeting tonight. Bragan said once approval is granted by the Board of Health the Department of Public works can move forward. He said they will also investigate how to remove the beavers permanently from the area. The Conservation Commission will be involved as well.

Bragan reported a re-precincting issue due to the latest Federal census. He drafted a letter petitioning the Governor to file a Governor's Bill so that we won't have to re-precinct. He said this is due to the inclusion of prisoners at the federal medical prison at Devens. On a Sobalvarro/Johnson motion, the board voted unanimously to authorize the chair to sign the letter.

Bragan said he is working with Elsa Campbell at the Department of Housing and Community Development (DHCD) regarding the sale of the LIP unit at 15C Elm Road. He asked the board to decline its right of first refusal on the unit. On a Clark/Johnson, motion the board voted unanimously to forego our right of first refusal on unit 15C Elm Road.

Bragan told the board the fuel budget will have a shortfall due to the sever winter. He said a reserve fund transfer may be necessary.

Bragan supplied the board with a revised version of the Affordable Housing Plan for them to review and approve at the next meeting.

Bragan announced Pat Natoli has resigned from the Cable Committee after fourteen years of service. Ron Ricci expressed his gratitude to Natoli and noted she is not even a Harvard resident. The board agreed to send a letter of thanks to her.

Bragan reported the Council on Aging Director position will be advertised with applications due on May 27<sup>th</sup>. The COA has requested a change in the job description and is working through the personnel process.

### **AMBULANCE APPROVALS**

#### **Write-Off Policy & Requests**

On a Clark/Sobalvarro motion, the board voted unanimously to accept the ambulance service accounts receivable write off policy as dated 2.11.11

On a Clark/Sobalvarro motion, the board voted unanimously to approve requested write-offs dated 2.11.2011.

### **Pro-EMS Intercept Agreement**

On a Clark/Sobalvarro motion, the board voted unanimously to accept the Central Middlesex Emergency Response Association Paramedic Intercept Agreement (SMERA) and authorized the Director to sign document and activate.

### **STRATEGIC PLANNING SESSION**

The board decided to hold the session during the day. The dates chosen were Monday, May 16<sup>th</sup> or Thursday, May 12<sup>th</sup> from 9:00am – 3:00pm. Ron Ricci needed to confirm his availability to secure a date.

Peter Warren made a quick note about donations to the Ginny Thurston Scholarship fund. The board discussed how to appropriate any donations received. Clark said in the past we have always used the Rantoul Trust account to make up the difference.

### **JBOS GOVERNANCE & VICKSBURG SQUARE UPDATE**

Peter Warren began by asking the board if they wanted to reaffirm their past discussion regarding governance. Tim Clark noted the importance of focusing on the municipal services piece. He has spoken with Senator Eldridge who met with Secretary Bialecki and reported they are in full support of the proposal. Marie Sobalvarro commented on the significance of prioritizing other larger concerns also.

Ron Ricci said he and Sobalvarro have a tentative meeting with Trinity Financial representatives next week. Board members expressed concern over the May 7<sup>th</sup> date chosen to hold a vision session in Harvard. Sobalvarro noted the Apple Blossom Festival will be held that day. Bill Johnson pointed out to have a productive session we need to get the word out but how can we do that if we have no idea what is intended to happen at this meeting. Johnson said he is willing to wager many residents in Harvard know nothing about this. He said it is imperative we receive advanced information to provide public output. Tim Clark reminded members even though Trinity has suggested this schedule the towns do not have to agree. Warren said he is hopeful for more information at the JBOS meeting on Thursday, April 28<sup>th</sup> when Trinity Financial attends. The board members agreed to suggest the date of Saturday, May 14<sup>th</sup> instead and strongly recommend they provide material ahead of time. Ron Ricci commented the schedule they have presented meets requirements for a Super Town Meeting but does not meet requirements to engage the town in their vision. Warren said he would contact Abby Goldenfarb from Trinity Financial to relay the message.

### **BOARD REORGANIZATION**

Peter Warren opened nominations for Chairman.

Ron Ricci began by thanking Peter Warren for serving as Chairman and nominated Marie Sobalvarro. Bill Johnson seconded the nomination.

There were no other nominations. The nominations were closed.

On a Ricci/Johnson motion, the board voted unanimously to appoint Marie Sobalvarro as Chair.

Sobalvarro opened nominations for Vice Chairman. Ron Ricci nominated Bill Johnson. Peter Warren seconded the nomination. No other nominations were made. The nominations were closed. On a Ricci/Warren motion, the board voted unanimously to appoint Bill Johnson as Vice Chair.

Sobalvarro opened nominations for Clerk. Tim Clark nominated Ron Ricci. Bill Johnson seconded the nomination. No other nominations were made. The nominations were closed. On a Clark/Johnson motion, the board voted unanimously to appoint Ron Ricci as Clerk.

Marie Sobalvarro asked the board to consider moving the meeting start time to 7:30PM. The board will discuss at another meeting.

The meeting was adjourned at 8:55PM.

Documents referenced:

**FINANCIAL MANAGEMENT REVIEW** – dated March 2011

**ANNUAL AUDIT REVIEW** – 12.13.2010 (fiscal year 2010)

**APPOINTMENT** – Duane Barber volunteer form dated 2.1.2011

**MID STATE MUTUAL AID AGREEMENT** – no date

**Municipal Building Committee** – draft charge dated 4.19.2011

**TOWN ADMINISTRATOR REPORT – Affordable Housing Plan** – March 2011

**AMBULANCE APPROVALS** - Write-Off Policy & Requests dated 2.11.2011

Pro-EMS Intercept Agreement – dated 4.19.2011