



**Board of Selectmen  
Minutes  
Thursday, December 6, 2011 at 7:00pm  
Town Hall Meeting Room**

The meeting was called to order at 7:00PM by Chair, Marie Sobalvarro in the Town Hall Meeting Room. Selectmen Marie Sobalvarro, Peter Warren, Ron Ricci and Bill Johnson were all in attendance as well as the Town Administrator Tim Bragan and Executive Assistant Julie Doucet. Tim Clark did enter a few minutes after the start of the meeting.

**MINUTES**

On a Ricci/Warren motion, the board voted unanimously to approve minutes of 11/8 & 11/10, as presented.

**RIGHT TO FARM COMMUNITY SIGNS**

Agricultural Advisory Commission Chair Wendell Willard was present to request the BOS approve “Right to Farm Community” signs for placement at several points of entry into town. He said the signs would be 14x20 in size and placed on Route 111 near Ayer and Boxboro, Route 110 near Boxboro, and on Stow and Littleton Roads. He said associate member Pam Brown has done the majority of the work on this.

On a Clark/Warren motion, the board voted unanimously to approve request to erect “Right to Farm Community” signs as submitted by Wendell Willard on behalf of the commission.

**HALLOWEEN SNOWSTORM 2011 - TIMELINE**

Fire Chief Rick Sicard, Police Chief Ed Denmark and DPW Director Rich Nota were all present. Fire Chief /Emergency Management Director Sicard described the timeline of events related to the October snowstorm. He noted the first indication from FEMA this storm was going to have a large impact was on Friday, October 28th. He immediately called five firefighters in for 7:00pm Saturday and based on the fast accumulations he called the entire staff in at 9:00pm. Police Chief Denmark put an additional officer and dispatcher on each shift. Sicard said the Governor declared a State of Emergency for the entire state at 7:50pm. DPW crews were called in early to plow and clear roadways. The Emergency Operations Center was opened at 7:00am Sunday. At this time it was determined that the town was 100% without power and shortly there after the BOS declared a local State of Emergency. Sicard reported the first conference call held with National Grid was at 1:00pm Sunday. They stated there were over 400,000 National Grid customers without power in the state. Crews from Michigan were assigned to Harvard and were scheduled to be in town by Monday. Their expectation was to have power restored to 90% of town by Thursday. On Tuesday, six line crews and four tree crews were working in town. Sicard explained it became apparent at this time Verizon and National Grid were not working together. With this, the fire and police departments went and assessed every road in town and made a master list of which poles needed to be replaced. The list of fourteen was given to Peter Hyatt of Verizon. He promised all the poles would be set by the end of the day. By Wednesday, there were twelve line crews

and thirty two tree crews in town. The shelter was closed Wednesday so the schools could open on Thursday. Rich Nota confirmed all roads had been open to two way traffic by Wednesday afternoon. Sicard reported by the end of the day on Friday it was reported twelve residences still were with out power but by Saturday all power was restored and the Emergency Operations Center was officially closed on Monday, November 7<sup>th</sup>.

Sicard, Nota and Denmark agreed some major factors that contributed to the delay Harvard saw in restoration of power were:

- National Grids inability to guarantee power was completely out right from the start
- National Grid protocol
- Poor communication between National Grid and Verizon

Sicard thanked Police Chief Ed Denmark, DPW Director Rich Nota and Town Administrator Tim Bragan for their help and support in the Emergency Operations Center. He also recognized numerous other town departments for their assistance. Marie Sobalvarro also acknowledged Chef Paul.

Sicard, Nota and Denmark noted the following items to consider moving forward:

- Permanent installation of generators
- One portable generator
- More outreach for sign up with our emergency communication system ConnectCTY

Sicard wrote a letter on Harvard's behalf outlining possible solutions to improve the response time the next time we have an event of this magnitude. Ron Ricci thanked the Fire Chief and Town Administrator for their efforts at a recent meeting hosted by Senator Eldridge and Representative Benson with National Grid.

## **FIRE DEPARTMENT BUDGET**

Fire Chief Sicard reviewed his budget explaining it was a bit difficult to produce numbers due to the lack of record keeping over the past six years.

Expense budget requests:

- An increase of \$11,000 for annual testing and certification of equipment which is mandated by law. He said in previous years an average of \$7,000 has been spent but realistically it should be \$18,000. He stressed the importance of maintaining equipment to industry standards.
- An increase for protective clothing from \$7,600 to \$9,000. The department needs to replace four sets of turn-out gear a year. This item will be built into the budget moving forward.

Personnel budget requests:

- Increase Administrative Assistant hours budgeted from four to sixteen. He is in desperate need of help with the day to day duties. This position could possibly be combined with the Police Department to create one full time position.

- 1% increase for the call stipend

Marie Sobalvarro asked about the creation of a revolving fund specific to a hazmat plan. The Chief said this is something he is working on related to his five year strategic plan. The Chief has presented level funding for the Officer Stipend and radio repairs.

### **FIRE DEPARTMENT FEES**

Chief Sicard presented a revised permit fee schedule. The two main fee changes discussed were the \$250.00 annual fee for Fire Alarm master box and a \$25.00 burning permit fee. After some debate the following motions were made:

On a Ricci/Warren motion, the board voted unanimously to keep fire alarm master box fee at zero however replacement or repair of box will be responsibility of property owner.

On a Warren/Johnson motion, the board voted to reduce the brush fire fee suggested to \$10 and go to \$25 next year provided a town meeting vote is taken to establish a revolving account with funds collected to be used for the SAFE program or how the Fire Chief desires.

(Warren – Aye, Johnson – Aye, Sobalvarro – Nay, Clark – Nay, Ricci – Nay)

On a Ricci/Clark motion, the board voted unanimously to accept revised fee schedules with two exceptions as previously discussed.

### **POLICE DEPARTMENT BUDGET**

#### Personnel

Police Chief Ed Denmark addressed his personnel budget stating the 2% cost of living increase was included. He said level service for the Police Department means they continue to operate with single officer shifts. This year he explained has been more difficult than previous years due to staffing shortages. The department has one officer out on disability and two out on family medical leave. He said his number one priority for future planning is to address the staffing issues with a two officer response. He referred to a recent study completed on the effects of officer exhaustion (Force Science Exhaustion Study). The study confirms single officer situations can place the officer and individuals he/she is trying to protect in jeopardy. It can also impair the officer's ability to accurately recall the situation for successful prosecution. He said two ways to address the staffing problem is to either hire a new officer or increase the overtime budget. He understands both represent a substantial increase to the budget but with our transition to regional dispatch slated for July 2013 it is even more important to ensure that we have staff available around the clock to respond.

#### Expense

Expense budget requests:

- Body armor replacement - \$5,600
- Public Safety Building Operations – replace maintenance contracts previously cut
- Computer replacements - \$2,700

Bill Johnson suggested that the Chief proactively schedule future equipment replacement on a more predictable rotating basis to avoid the large cost spikes of replacing everything all at once in a reactive manner. Tim Clark asked if the staffing issues could be resolved if the Police department was regionalized such as dispatch. Denmark answered absolutely. Marie Sobalvarro commented on the inclusion of increased public outreach. Denmark said with the reduction in staff outreach is nearly impossible.

## **DEPARTMENT OF PUBLIC WORKS BUDGET**

### Personnel

DPW Director Rich Nota said very little has changed with this personnel budget. He has included the cost of living and step increases.

### Expense

Nota said he has been able to maintain his operating budget efficiently. There has been a reduction in maintenance and snow/ice removal budgets. He noted waste collection has been reduced by \$10,000 and expects to see this savings trend continue. He explained an increase was necessary with the Water Department budget due to regulatory requirements from DEP. DEP is requiring regular updates to the system mapping as well as requiring two in house inspectors. Nota will cross train employees to handle the new regulations. Bill Johnson wondered if it made sense for offsets related to the schools and Park & Recreation be accurately reflected in the DPW budgets. Nota said honestly as long as the funding is in place he is not as concerned with where the funds are coming from. Marie Sobalvarro agreed with Mr. Johnson's point. Johnson is concerned the accounts may not be growing accordingly and wants to avoid the DPW department from being tasked with projects that may not be fully funded. Johnson will make this point with the Finance Committee.

### Transfer Station

Nota commented on the Transfer Station service as being on of the best. We have continued to have a high participation rate. Marie Sobalvarro asked if there may be any reductions to the annual transfer sticker cost. She also asked if continuing to compost could be a revenue generator. Nota said yes to the composting but noted the area utilized is in close proximity to wetlands. This requires stricter regulations which make it difficult. Ron Ricci asked how long our contract is with our current waste hauler. Nota said we have another year and half with them. He confirmed glass does not need to be separated by color anymore. Ricci asked when Harvard may see single stream recycling. Nota said this will come up with a new contract.

On a Warren/Ricci motion, the board voted unanimously to accept all amended budgets.

## **PUBLIC COMMUNICATION**

Artie Bellkowitz, 19 Woodside Road, said the recycling center is much improved and said he is unsure how you can get others to recycle more. He asked if the Red Cross was needed during the storm.

Eric Broadbent, 73 Oak Hill Road, said he was not completely aware of all the details related to the recent Historical Commission resignations but expressed his dismay. He said there are probably many things that need to be clarified related to the appointment process. He noted those who resigned were not run of the mill but long standing volunteers and it is unfortunate over a disagreement this is what happened. He is hopeful the BOS will find a solution that will bring the town and volunteers together.

John Martin, Historic Commission member, said the BOS has managed to turn an orderly process into disorderly resulting in a net lose of commission members. He said comments made about commission members were entirely untrue and unappreciated. He asked how the commission should proceed in light of recent developments and if the BOS want the commission to assist in finding qualified volunteers.

### **SELECTMEN REPORTS**

Peter Warren reported on the following:

- Report expected next week from Galeota Associates on town buildings excluding Town Hall and Hildreth House regarding the Municipal Facility Manager.
- Cemetery Commission at the request of the Energy Advisory Committee has winterized the cemetery building.
- Capital Planning & Investment Committee has been meeting with department heads to review requests. He noted funding available is far less than what is being requested.

Ron Ricci announced architects for the MBC will be presenting their ideas on Wednesday, December 14<sup>th</sup>, 7:00pm in Volunteer's Hall. Residents are encouraged to attend.

Ricci thanked the Town Administrator and Fire Chief for their efforts during the meeting held by Senator Jamie Eldridge and Representative Jen Benson with National Grid.

Ricci reported the Municipal Affordable Housing Trust Fund (MAHTF) is working with all parties involved to delay foreclosure of the Harvard Inn and Great Elms properties. All the details are being worked out.

Tim Clark said the Master Plan Steering Committee will be to establishing small working groups. Bill Johnson suggested the committee share the recently submitted strategic plans from all departments, committees, and boards with consultants.

Bill Johnson said the Economic Development Committee (EDC) will be prepared to come to the BOS meeting on the 20<sup>th</sup>. The Planning Board will be invited and a report from the Pilot Project will be expected as well.

### **JBOS Memorandum of Understanding (MOU)**

Ron Ricci described the new MOU as an avenue to encourage continued participation with JBOS. The MOU states there will be four voting members and one alternate. MassDevelopment will have a representative as a non-voting member.

JBOS will discuss issues of mutual concern and representatives will communicate with their constituents. Ricci said he will serve as Harvard's representative with Peter Warren as the alternate. The first meeting held under the new MOU will be on December 15<sup>th</sup>. Tim Clark was cautious about the new MOU related to the definition of voting members. He said it was not inline with Chapter 498. Ricci said this document is the last ditch effort to keep the lines of communication open. Peter Warren agreed this document is a good first step and is basically within Chapter 498. On a Warren/Johnson motion, the board voted unanimously to sign the Memorandum of Understanding (MOU) regarding the make up of the JBOS as presented tonight.

### **MASSDEVELOPMENT – VICKSBURG SQUARE – TRINITY FINANCIAL**

MassDevelopment Planner Ed Starzec contacted Harvard to set up a meeting tentatively on December 14<sup>th</sup> with all three towns. Sobalvarro was amenable to this as long as the questions submitted from Harvard were addressed beforehand. Subsequently, Starzec informed Sobalvarro the 14<sup>th</sup> meeting was cancelled. He suggested the BOS again formally request a meeting with MassDevelopment President Marty Jones. Sobalvarro reiterated the request by email but has yet to receive a date to meet. Tim Clark expressed his disappointment in the lack of response from MassDevelopment. Ron Ricci said the ball is in their court now and he does not see much happening until after the holidays. Peter Warren agreed and said he would be very upset if our questions are not addressed prior to a meeting with the other towns. Clark told the board at some point we will have to take a position on the proposal. Sobalvarro also agreed we are in a waiting period right now. Clark said the concerns raised are specific to the project proposed not a total rejection to the project. It is important this is understood. Bill Johnson thinks it is important the BOS communicate effectively on behalf of the town with Trinity Financial and MassDevelopment. It would be unfortunate if our questions are not answered and the debate focuses on the wrong topics.

### **AMBULANCE BILLING CONTRACT**

Peter Warren explained the process and said three companies bid. The contract will run from January 2012 through January 2013. On a Warren/Clark motion, the board voted unanimously to accept the contract between Harvard and ProEMS.

### **RESIGNATIONS**

The board recognized letters of resignation from Roseanne Saalfield and Jonathan Feist from the Historical Commission. Also, Al Combs resigned from the Master Plan Steering Committee and the Economic Development Committee. On a Ricci/Warren motion, the board voted unanimously to send thank you letters

### **LIQUOR LICENSE RENEWALS**

Marie Sobalvarro acknowledged receipt of a letter from the Police Chief stating none of the establishments have had any incidents over the past year. On a Warren/Johnson motion, the board voted unanimously to approve license renewals for Fruitland's Museum, Shaker Hills Golf Club, the Harvard General Store, and the Grapevine.

## **HEALTH INSURANCE UPDATE**

Town Administrator Tim Bragan said due to a recent vote by Minuteman Nashoba Health Group (MNHG) changes to health insurance plans and approved rates have been accepted. He said the next step will be to notify all the unions of the changes within 48 hours of the BOS voting to adopt changes to Section 21-23. This action will be taken at the December 20<sup>th</sup> meeting.

\*\*\*\* On a Ricci motion, the Board voted unanimously by a roll call vote (Sobalvarro – Aye, Clark – Aye, Ricci – AYE, Warren – Aye, Johnson - Aye) to enter into executive session at 10:06pm, 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 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:

**RIGHT TO FARM COMMUNITY SIGNS** – email & sign draft dated 11.17.2011

**HALLOWEEN SNOWSTORM 2011 – TIMELINE** – dated 12.08.2011

**FIRE DEPARTMENT BUDGET** – dated 12.02.2011

**FIRE DEPARTMENT FEES** – dated 12.02.2011

**POLICE DEPARTMENT BUDGET** - dated 12.01.2011

**DEPARTMENT OF PUBLIC WORKS BUDGET** – dated 12.01.2011

**JBOS Memorandum of Understanding (MOU)** – dated 11.29.2011

**AMBULANCE BILLING CONTRACT** – dated 09.07.2011

**RESIGNATIONS** – Roseanne Saalfield 11.15.2011, Jonathan Feist dated 11.14.2011,  
Al Combs dated 12.01.2011

**LIQUOR LICENSE RENEWALS** – renewal forms dated 11.2011

**HEALTH INSURANCE UPDATE** – timeline dated 12.06.2011