



**Board of Selectmen
Minutes
Tuesday, April 17, 2012 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, Ron Ricci, Bill Johnson, Peter Warren and Tim Clark were all in attendance as well as Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

MINUTES

On a Ricci/Johnson motion, the board voted unanimously to approve minutes of 4/3, as presented.

DPW APPOINTMENTS

Foreman Ron Gilbert was present to introduce and recommend Michael Poitras for appointment as truck driver/laborer and Robert Tremblay for appointment as mechanic.

He explained two vacancies have occurred due to the dismissal of Matthew Glenny and recent departure of Eric Martineau. On a Warren/Johnson motion, the board voted unanimously to appoint Michael Poitras and Robert Tremblay to the two open DPW positions.

SELECTMEN REPORTS related to goals

Ron Ricci reported the Municipal Affordable Housing Trust Fund (MAHTF) is still assisting with the relocation of residents at the Great Elms and Harvard Inn. He confirmed the foreclosures are scheduled for May 17th.

Peter Warren thanked the Harvard Lion's Club for their recent donation to the Cemetery Commission for restoration of the cemetery markers.

Marie Sobalvarro touched on a few other goals the BOS had set for FY2012. She commented on the good organization and progress thus far on the town center sewer project. She acknowledged the immense support shown to the creation of the Town Facilities Manager position moving the initiative forward. Sobalvarro highlighted two goals in need of more attention: addressing the structural deficit by dedicating a sustainable funding source for the Capital Fund and determining additional transactions that can be offered via on-line to increase efficiency and resident convenience. Ron Ricci complimented the process established for obtaining burn permits through the town website. Tim Clark did note there is an additional charge assessed when paying tax bills on-line.

Upcoming JBOS meetings – Peter Warren will attend April 26th and Tim Clark will attend on April 19th.

PUBLIC COMMUNICATION

Bruce Dolimount, 165 West Bare Hill Road, spoke on behalf of the Cemetery Commission. He complimented Peter Warren as their liaison stating they greatly appreciated the efforts he took on their behalf. He spoke about Peter's great love and loyalty for the Town of Harvard. He added his appreciation for Peter's honesty and integrity over the years while he has served the community.

Keith Cheveralls, School Committee Chair, said it has been a great pleasure getting to know Warren better over the last three years. He echoed what Dolimount said and added Warren exemplifies what it means to serve your community. He thanked him for his service.

Jack Spero, Cemetery Commission, said without a doubt Warren has been the most dedicated and conscientious liaison the Cemetery Commission has ever had.

Jim DeZutter, 13 Eldridge Road, thanked Warren for his long time service to the town. He has been impressed with him over the years while he served as a firefighter, Fire Chief and recently as Selectmen. He said the town is a lot better and safer due to Warren's efforts.

Tony Shaw, 195 Prospect Hill Road, commented on the amount of energy Warren has exhibited as Selectmen and with the Fire Department over the years. He said the department will be happy to have him back!

TOWN ADMINISTRATOR REPORT

DPW Award recommendations

On a Ricci/Warren motion, the board voted unanimously to award roadway crack filling to Superior Sealcoating Inc. in the amount of \$4,830 per diem.

On a Warren/Ricci motion, the board voted unanimously to retain service of Comer Contracting Inc. of Wilmington in the amount of \$254,875 for liquid asphalt stone seal per letter dated April 10, 2012.

Shaker Hills Golf Club

Bragan said the golf course was sold at auction for \$3.4 million and the new owner intends to maintain the property as a golf course.

Boy Scout Proclamations

On a Ricci/Clark motion, the board voted unanimously to sign proclamations.

TOWN-WIDE ROADSIDE BRUSH CLEANING

The board decided to take no action on this item until the reimbursement amount from Federal Emergency Management Agency (FEMA) is determined.

ENTERTAINMENT LICENSE – Apple Blossom Festival

On a Clark/Johnson motion, the board voted unanimously to approve the entertainment license for the Apple Blossom Festival to be held on May 12th.

ENTERTAINMENT LICENSE POLICY & PROCEDURE AMENDMENT

Marie Sobalvarro drafted a revised policy to reflect the BOS discussion at their April 3rd meeting.

The fourth bullet on page one of the policy was amended as follows:

- At the next regularly scheduled meeting, the Board of Selectmen shall determine if they will review the application at a regularly scheduled meeting or order a Public Hearing. If the BOS do not order a public hearing the applicant's intent to secure an entertainment license will be announced by the Town Administrator and noted on a Selectmen's agenda at least one regularly-scheduled BOS meeting prior to the Board's vote to approve or reject said application.

On a Ricci/Warren motion, the board voted unanimously to approve entertainment license policies and procedures as amended.

FIRE DEPT. TRAINING GROUNDS – STOW ROAD GRAVEL PIT

Fire Chief Rick Sicard was present to propose the development of live fire training grounds within the borders of our community. The desired location is within the boundaries of the Stow Road gravel pit. Sicard explained the department would utilize the front half of the property. He said they intend to invite surrounding communities to train there as well. Bill Johnson asked if partnering with adjacent towns to use their existing live fire training grounds had been explored. Sicard explained how this would make it more difficult to maintain in-town coverage while training out of town, but agreed to look into it to determine the feasibility of it, and document the pluses and minuses. Johnson then asked if there would be any additional cost to the town. Sicard explained grant funds and donations will be enough to support the project. Tim Clark said he supports the departments' initiative to improve training. He suggested the department solicit public input from the neighborhood. He said it is important we allow residents to express any concerns they may have. Sicard is aware Conservation Commission approval is necessary because the location is within 300' of identified wetlands which will require notification to abutters. He added the DPW Director Rich Nota was agreeable to the training area as long as it is limited to the area adjacent to entry road and to the front portion of the lot. Ron Ricci suggested Chief Sicard return to the BOS once the Conservation Commission process is completed. This way Chief Sicard can relay any concerns and how they will be addressed. Johnson said he is not prepared to approve this concept until all the pros and cons have been weighed and abutters have been consulted. Peter Warren said he fully supports the proposal and expects the Fire Department will handle this in as respectful manner as they always do. The board was agreeable to the concept but asked Chief Sicard to give an update once the Conservation Commission process is complete and abutters have been informed.

ANNUAL TOWN MEETING WARRANT ARTICLE REVIEW

Article 18 – Town Hall Building Project

Marie Sobalvarro opened the discussion by referring to a memo from the Municipal Building Committee (MBC) with responses to questions about partitioning to create additional meeting places within the proposed large meeting room on the second floor of town hall and a specific proposal on how to incorporate the needs of the Cable Committee within the town hall footprint. In the memo the MBC acknowledged a vote taken committing them to develop a flexible partitions plan for upper town hall and to refine and specify a plan design development within

the authorized total project cost. Additionally, they stated the needs of the Cable Access Committee to cover meetings and events in Town Hall will be accommodated by providing 90 sf. of space in under the balcony on the second floor. This space has been shown as: “tele/data & Cable TV” on our schematic layouts. The tele/data equipment will be moved to the balcony leaving the entire 90 sf. space for cable equipment. This plan was discussed at a meeting between Cable Access Committee and two members of the MBC on April 9. The headquarters for the Cable Committee will remain at their current location in the old library. Peter Warren made a motion to support article 18 which Tim Clark seconded for discussion. Warren said the committee has done their due diligence by following the direction decided upon at the last ATM and now is time to let the town determine the next steps. Bill Johnson said the MBC did not address the issue related to the Cable Committee therefore they have not followed the Statement of Intent decided upon at the last ATM. He believes the MBC fell short of their charge. Ron Ricci said the failure in not with what the MBC did it is with what the BOS failed to do. He does not feel what is proposed is the best option. He said it is now up to the voters to decide but he will not vote in favor of this article. Johnson proposed amending the motion to state BOS support Article 18 concurrent with the Statement of Intent. The motion was seconded by Ron Ricci but failed due to nay votes from Sobalvarro, Clark and Warren. Ricci suggested amending the original motion to adjust the money commitment. He recommended the motion state support for Article 18 to not include \$97,000 for elevation of the stage. The motion was seconded by Johnson but failed due to nay votes from Sobalvarro, Clark and Warren. After a bit more discussion Warren said it is apparent this board will not come to a consensus on this article so he made the following motion:

On a Warren/Clark motion, the board voted to recommend approval of Article 18.

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

With a 3/2 vote the motion passed.

Article 37 – Revolving Funds

Tim Bragan said the amounts proposed have not changed from last year.

On a Ricci/Clark motion, the board voted unanimously to support Article 37.

Article 40 – Home Rule Petition – Means Tested Senior Citizens Property Tax Exemption

Peter Warren said there are still unanswered questions on the proposed article therefore he suggested no action be taken on this article at this time. On a Johnson/Ricci motion, the board voted unanimously upon recommendation of Elderly & Disabled Taxation Aid Committee (EDTA) to take no action on Article 40.

Article 41 – Mass General Laws Ch. 59 S 5K – Senior Work – Off Abatement Program

Tim Bragan explained adoption of this article will allow the board to utilizing this program but the board will need to establish policies first. On a Ricci/Johnson motion, the board voted unanimously to support Article 41.

Planning Board Articles

Planning Board member Rich Marcello was present to answer any questions.

Article 42 - Affordable Accessory Apartment

Ron Ricci encouraged the BOS to support Article 42 because it will further our goals for affordable housing. On a Ricci/Clark motion, the board voted to support Article 42. Marie Sobalvarro decided to abstain from voting.

Article 43 - Amend the Protective Bylaw - Signs

Tim Clark asked why Chapter 140 (Board of Selectmen Regulations) was not being amended to include the section being removed from Chapter 125-41I (Off Site Signs on Town Ways). Marcello said the Planning Board was advised by Town Counsel this could be handled on town meeting floor. Bragan explained the BOS can adopt the necessary section from zoning for inclusion in their regulations. Marcello explained the changes are intended to streamline the process. Bill Johnson suggested the BOS vote in favor of this article as it will meet the needs of the businesses in town by clearing up the language. He said the Economic Development Committee (EDC) is in favor of this article. On a Johnson/Warren motion, the board voted to recommend approval of Article 43. Tim Clark decided to abstain from voting.

Article 44 – Amend the Protective Bylaw Re: Solar Photovoltaic Installation

Rich Marcello said the Planning Board will take on action on this article. The BOS will do the same.

The board assigned warrant articles.

ONE DAY LIQUOR LICENSING

Marie Sobalvarro informed the board of the recent approval for the town to begin issuing one day liquor licenses to non-profit organizations. They will be allowed to serve wine & malt or all alcohol. The board discussed assessing a \$50 fee for one day licensing. Sobalvarro will amend the existing policies for approval at the next meeting.

DISCUSS DEVELOPMENT OF A UTILIZATION PLAN FOR OLD LIBRARY FOR THE NEXT FIVE YEARS AND DECIDE BETWEEN RELOCATION OPTIONS FOR TOWN GOVERNMENT DURING TOWN HALL RENOVATIONS

Tim Bragan provided the board with a letter outlining relocation costs for the Town Hall. He has reviewed costs for rental space as opposed to moving to the old library. His estimation indicated rental space would cost around \$28,000 more than moving to the old library. Bill Johnson disagreed with Bragan's calculation of the difference, using Bragan's data to show a difference of \$50,000 - \$57,000 depending on the assumptions used for increased utility costs. He estimated a larger difference. Marie Sobalvarro thought it was premature to discuss this prior to the ATM. Johnson pointed out a utilization plan for the library is a BOS goal and the Pilot Project has requested guidance from us on this issue. He understands this is contingent on ATM approval but minimizing cost to the taxpayers is a priority. Sobalvarro said there are other goals that we have not met this year either. Peter Warren said it is quite obvious the old library option is less expensive. He is also concerned about isolating the town offices out of town. On a Johnson/Ricci motion, the board voted to recommend the old library to be used for relocation of town government for time period of any town hall renovations. With a 3/2 vote the motion passed.

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

RESOLVE WHETHER THE PILOT PROJECT SHOULD CONTRIBUTE TO OLD LIBRARY CAPITAL AND OPERATIONAL COSTS WHILE IT UTILIZES THIS MUNICIPAL FACILITY

Bill Johnson made a motion for the BOS to determine for this fiscal year some appropriate cost sharing with the pilot project and to present them with a request to work with us for reimbursement to the town which will continue forward as long as they remain tenants. The motion was seconded by Ron Ricci. With a 3/2 vote the motion passed.

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

Sobalvarro suggested amending the motion to include all non municipal users be assessed a cost as well. This was not seconded.

The board decided to meet at their regular time on May 1st.

The meeting was adjourned at 9:34pm.

Documents referenced:

DPW APPOINTMENTS – Appointment requests DPW Director R. Nota dated 4.9.2012

TOWN ADMINISTRATOR REPORT –Award requests DPW R. Nota dated 4.10.2012

TOWN-WIDE ROADSIDE BRUSH CLEANING – Award request DPW R. Nota 4.9.2012

ENT. LICENSE – Apple Blossom Festival – application dated 3.10.2012

ENT. LICENSE POLICY & PROCEDURE AMENDMENT – draft dated 4.23.2012

FIRE DEPT. TRAINING GROUNDS – memo and presentation dated 4.12.2012

DISCUSS DEVELOPMENT OF A UTILIZATION PLAN FOR OLD LIBRARY FOR THE NEXT FIVE YEARS AND DECIDE BETWEEN RELOCATION OPTIONS FOR TOWN GOVERNMENT DURING TOWN HALL RENOVATIONS

Letter from TA T. Bragan dated 4.17.2012