



**Board of Selectmen  
Minutes  
Tuesday, July 9, 2013 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 Ron Ricci, Stu Sklar, Lucy Wallace and Leo Blair were all in attendance as well as the Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

## **APPOINTMENTS**

### *Board of Assessors*

Don Graham was present to introduce himself. He said he is seeking appointment to the BOA and is aware of the training class he will have to take. On a Ricci/Blair motion, the board voted unanimously to appoint Don Graham to a three year term on the Board of Assessors.

### *Historical Commission*

Sherry Graham introduced herself and confirmed she is a member of the Northeast Association of Realtors. She is seeking appointment to the position specific for a member of the Bd of Realtors. On a Blair/Sklar motion, the board voted unanimously to appoint Sherry Graham to a three year term on the Historical Commission.

Moe Dancause introduced himself as a long time resident who is interested in serving his community by helping to maintain the historic character of the town. On a Wallace/Sklar motion, the board voted unanimously to appoint Moe Dancause to a three year term on the Historical Commission.

### *Conservation Commission*

James Saalfield introduced himself as a long time resident who is interested in understand conservation laws. On a Wallace/Ricci motion, the board voted unanimously to appoint James Saalfield to the Conservation Commission as an associate member with a one year term.

### *Municipal Affordable Housing Trust*

Trust member Bruce Nickerson was present to speak on behalf of applicant David Hopper who was unable to attend due to a business trip. Nickerson said Hopper has attended several meetings and has served on other committees in town in the past. He asked for the board to consider this appointment even though Hopper was not present as they are in need of talented members. On a Wallace/Sklar motion, the board voted unanimously to appoint David Hopper to the MAHT for a two year term. The board also re-appointed Sherlie LaPierre for a two year term.

### *Economic Development Committee*

On a Sklar/Blair motion, the Planning Board and BOS voted unanimously to appoint Elaine Lazarus to another three year term on the EDC. Planning Board members Kara Minar, Tim Schmoyer, James Breslauer and Joe Hutchinson were all present.

### *Devens Economic Analysis Team*

Chris Roy introduced himself and explained his familiarity with town government. He is employed with the town of Concord at their municipal light plant as their Engineering & Operations Manager. He said he is quite interested in the Devens discussion and can provide useful utility experience. On a Wallace/Ricci motion, the board voted unanimously to appoint Chris Roy to the DEAT for a one year term.

Marie Sobalvarro took a moment to review the current committee/board vacancies.

### *Zoning Board of Appeals*

Sobalvarro said she had heard back from ZBA Chair Chris Tracey who indicated he is interested in maintaining the current configuration of the board. This would mean Robert Capobianco would be appointed to another three year term. Lucy Wallace expressed concern with Capobianco unable to attend many of the meetings. It is her understanding that even though the BOS has allowed remote participation it should only be used when necessary not on a regular basis. Stu Sklar was in agreement. Tim Bragan reminded the BOS when they decided to allow remote participation they also agreed to revisit it later down the road to see how it is working. Sklar said if an associate member can be in attendance at meetings and is interested in filling a regular seat they should be given the opportunity. On a Ricci/Blair motion, the board voted unanimously to appoint Robert Capobianco to a three year term and all associate members for another year.

### *Town Hall Building Committee*

Ron Ricci asked about Pete Jackson not wishing to continue on the committee. Marie Sobalvarro said he has decided to continue. Lucy Wallace inquired about the Town Administrator continuing. She emphasized the importance of having the Town Administrator on the committee to communicate operational needs of the Town Hall. Leo Blair sensed some reluctance from Bragan in continuing and asked him why. Bragan said he was concerned he may have conflicts with his evening meeting schedules. He also felt he could be kept informed without having to attend the meetings because many times the concerns or suggestions he has expressed were not considered. On a Sklar/Wallace motion, the board voted to appoint Tim Bragan to a term expiring on June 30, 2014. (Blair & Ricci – Nay) Marie Sobalvarro encouraged Bragan to find an adequate replacement for his role if he so chooses.

### **AMBULANCE**

Director Steve Beckman was present to review the roster and explained the differences between full members, provisional EMT members, drivers and cadets. He explained they have in place a minimum crew available for weekday daytimes which includes the required two EMT's and one driver.

He also reviewed the rules in place for residents to maintain their participation on the squad. He said they do include college students as long as they can meet set requirements. Beckman noted it has been two and a half years since the squad has needed to call in mutual because they were unable to staff a crew. On a Blair/Ricci motion, the board voted unanimously to extend the Ambulance Roster provided through June 30, 2014.

### **TOWN HALL BUILDING COMMITTEE UPDATE**

Tim Bragan reviewed an updated budget analysis and cost projection spreadsheet from the Owner's Project Manager (OPM) with the board. He pointed out the cost estimates received have come in \$124,283 over the proposed budget for this project. Bragan recommended the board delay moving the Town Hall to the Appleworks building until the official bids come in on September 12<sup>th</sup>. He said this will allow the board the ability to discuss options if the bids come in higher than expected. He said sub bids are due by the end of August so hopefully this will be a good indicator of what can be expected when the official bids come in. Leo Blair asked about the contingency numbers included in the spreadsheet and if the recent changes by the Historical Commission were incorporated. Marie Sobalvarro was under the impression the changes were included. Blair said at the Hist. Com. meeting Pete Jackson seemed to think the suggested changes were quite substantial and should be vetted by the community. Blair recommended the BOS be prepared to notice a Special Town Meeting right away if necessary and request an amount plus 10% for reserves. Ron Ricci said going back to the drawing board should be an option as well. He was reluctant to delay the move not knowing what voters will do if more money is needed. Ricci was concerned about paying rent on space we are not using. Blair said at this point we are going to pay rent if we are using the space or not. He also pointed out it is difficult making decisions in real time when you do not have all the information. He said it is the obligation of the BOS to execute the plan approved at the Annual Town Meeting and if it requires more money then it is up to the town to make that decision. Marie Sobalvarro said it makes sense to wait on the move until we have a better idea of what we may be up against. Lucy Wallace and Stu Sklar agreed. Ricci emphasized the importance of making a good honest effort on the most cost effective way to create office space for the Town Hall.

### **TOWN ADMINISTRATOR REPORT**

Bragan announced the Moderator Robert Eubank has appointed Don Ludwig for another term as an associate member, Heidi Frank to another three year term and Laura Vilain to a three year term replacing George McKenna. He said this leaves an associate member vacancy.

Bragan distributed a fraud policy to the BOS members for their review. He asked them to be prepared to act on this at the July 30<sup>th</sup> meeting.

Bragan informed the BOS he will be preparing a Request for Proposals (RFP) for installation of cell towers on town land and asked for their support. He said this came about when Ron Ricci had suggested investigating the feasibility of using the cupola on town hall to improve cell service in town. On a Ricci/Blair motion, the boards voted

unanimously to authorize the Town Administrator to pursue an RFP for cell towers on town property at either the Hildreth House location or the water tower property.

**FARM WINERY LIQUOR LICENSE – TURTLE CREEK WINERY**

On a Ricci/Sklar motion, the board voted unanimously to approve the liquor license request from Turtle Creek Winery for the Harvard’s Farmers Market.

**ENDORSE CHAPTER 90 REQUEST**

Bragan explained the request is for work on Ayer Road from Depot Road to Route 2. Bragan said the board previously approved the request.

**ANNUAL TOWN MEETING DATE**

On a Blair/Ricci motion, the board voted unanimously to hold the annual town meeting on Tuesday, April 1st finishing on Wednesday, April 2nd with set rules and specific time limits so people can plan accordingly.

**SELECTMEN GOALS FOR FY14**

The Selectmen took some time to review their draft goals.

*Financial*

Lucy Wallace asked to include the creation of a Standing Building Committee. Leo Blair and Ron Ricci were tasked with developing a charge for the committee. They also discussed creating a job description for a contractor to review projects and help prioritize.

Marie Sobalvarro said the Facilities Manager job description has been developed and the next step needs to be establishment of the position. Stu Sklar said he is working in conjunction with the School Committee on this.

*Policies & Procedures*

Sobalvarro has some revisions she is interested in making to the Liquor License Policies & Procedures.

*OPEB*

Blair suggesting instructing the Finance Committee to handle the funding approach for OPEB. He envisions the BOS acting on how to manage the liability. He said the BOS will need to find a way to mitigate our scope of prospective liability and also be mindful to treat employees fairly.

*Devens*

Leo Blair said he would be attending most JBOS meetings and will assist with the outbound communication between JBOS and MassDevelopment.

Wallace will serve as the BOS liaison to the Master Plan Committee.

*Town Hall Building Project*

Sobalvarro will serve as the liaison to the committee.

**DISCLOSURE - NON-ELECTED MUNICIPAL EMPLOYEE OF FINANCIAL INTEREST AND DETERMINATION BY APPOINTING AUTHORITY**

Tim Bragan informed the BOS of a disclosure received from Energy Advisory Committee member Steve Matson. He submitted this disclosure form due to his participation in the Harvard Solar Garden. The board agreed as an investor he will be directly impacted. Stu Sklar said he would be unable to participate in any discussions related to this subject because he is an investor. Leo Blair said he would be unable to participate in any discussions related to this subject because he is a potential investor. On a Wallace/Sklar motion, the board voted unanimously to remove *not so* and authorizes the Chair to sign.

**JBOS UPDATE**

Leo Blair said at the last meeting they discussed holding a meeting in September or October with all three towns and the Devens Committee to formulate ideas on how to create a path toward transition out of Chapter 498. He explained the idea is for the Devens Regional Enterprise Zone (DREZ) to have its own zoning and create a body to eventually handle the management of the DREZ.

The meeting was adjourned at 8:55pm.

Documents referenced:

**APPOINTMENTS** – Volunteer forms: Don Graham dated 6.2.2013  
David Hopper dated 6.12.2013  
Chris Roy dated 6.17.2013  
Moe Dancause dated 6.6.2013  
Sherry Graham dated 6.3.2013  
James Saalfield dated 6.3.2013

**AMBULANCE** – roster dated 6.9.2013

**TOWN HALL BUILDING COMMITTEE UPDATE** – spreadsheet dated 7.5.2013

**LIQ. LIC. APPLICATION – TURTLE CREEK WINERY** – dated 7.1.2013

**DISCLOSURE – STEVE MATSON** – dated 6.13.2013